

26 June 2019 Our Ref: 19-462

Chief Executive Officer

Mareeba Shire Council PO Box 154 MAREEBA QLD 4880

Attention: Mr Brian Millard – Senior Planner (<u>BrianM@msc.qld.gov.au</u>)

Dear Brian.

APPLICATION FOR A DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE AT 3276 AND 3278 MULLIGAN HIGHWAY, SOUTHEDGE, MOUNT MOLLOY.

We refer to the above-described matter and confirm that Urban Sync Pty Ltd has been engaged by Martin Anton to submit a development application to Mareeba Shire Council for assessment with respect to the above described land. In support of the application, we attach the following documents to assist with Council's assessment:

- DA Form 1 and Landowners Consent as Attachment 1;
- Plans of Development as Attachment 2;
- Site Searches as **Attachment 3**;
- Pre-lodgement Correspondence as **Attachment 4**;
- Assessment of the applicable development codes under the *Mareeba Shire Council Planning Scheme 2016* as **Attachment 5**; and
- Assessment of the applicable State Development Assessment Provisions Code as Attachment 6.

In accordance with Council's Schedule of Fees for the 2018/19 Financial Year, Councils' application fee to the amount of **\$6,145.00** will be paid to facilitate lodgement of this application. We request an invoice for payment be issued by Mareeba Shire Council as soon as practicable.

In accordance with s51(2) of the *Planning Act 2016*, landowners' consent has been provided in **Attachment 1**.

We trust this application can now be progressed for assessment. Should you require any further information or clarification on any matters regarding this application, please do not hesitate to contact me using the below details.

Yours faithfully,

Matt Ingram Senior Planner

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TOWN PLANNING REPORT

DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE 3276 AND 3278 MULLIGAN HIGHWAY, SOUTHEDGE, MOUNT MOLLOY

26 June 2019



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EXECUTIVE SUMMARY

Martin Anton (the Applicant) seeks the requisite statutory development approval from Mareeba Shire Council (Council) to support the establishment of a Concrete Recycling Yard over part of Lots 2 and 3 on SP223151 at 3276 and 3278 Mulligan Highway, Southedge, Mount Molloy (the site).

In a planning context, the site is located within the Rural Zone of the *Mareeba Shire Planning Scheme 2016* (Planning Scheme), where a Material Change of Use for a High Impact Industry use triggers the need for an **Impact Assessable** development application, subject to assessment against the provisions of the current Planning Scheme, to be lodged with and approved by Council. Accordingly, this development application seeks the following approval:

 Development Permit for a Material Change of Use for High Impact Industry (Concrete Recycling Yard – no more than 5,000 tonnes per year).

This development application report has been undertaken to:

- Present the physical characteristics of the site;
- Summarise the pre-lodgement phase of the development and identify any relevant site development history;
- Accurately describe the development as generally reflected in the plans of development;
- Address all applicable statutory requirements triggered through the Planning Act 2016 (PA), Planning Regulations
 2017 (PR) and the Planning Scheme; and
- Address any 'key' planning issues and non-compliances with the Planning Scheme provisions and in doing so, demonstrate that the development complies with the Assessment Benchmarks or can be conditioned to achieve reasonable compliance.

This development application report highlights that there are very few departures away from the 'deemed to comply' Acceptable Outcomes, although where these departures have been identified, a performance-based assessment has been provided to justify and demonstrate, based on sound planning grounds, that compliance with the corresponding Performance Outcome and in turn, the relevant Assessment Benchmarks, can still be achieved. We acknowledge that the development is not entirely consistent with the intent of the Rural zone, although the report has outlined, based on sound planning grounds that in this instance, the development is suitably located as:

- It will not compromise the achievement of the relevant Strategic Outcomes of the Planning Scheme;
- It will not compromise the purpose or intent of the Rural zone code being achieved;
- It will not conflict with any of the overall outcomes of the Rural zone code;
- Can sufficiently mitigate any adverse environmental impacts (we acknowledge that conditions of approval may be required to ensure this occurs); and
- Will not result in any unacceptable land use conflicts with nearby sensitive land uses.

With the above in mind, we now submit this application to Council for assessment and trust that it suitably addresses all the statutory requirements under the Planning Scheme and State legislation to allow favourable consideration, subject to the imposition of reasonable and relevant conditions.

APPLICATION DETAILS

2.1 APPLICATION SUMMARY

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Approval Sought:	Development Permit for a Material Change of Use for High Impact Industry (Concrete Recycling Yard – no more than 5,000 tonnes per year)		
Applicant:	Martin Anton		
Project Description Details:	Concrete recycling yard		
ASSESSMENT DETAILS			
Assessment Manager:	Mareeba Shire Council		
Development Category:	Assessable Development		
Assessment Category:	Impact Assessable		
Public Notification:	Yes		
PRE-LODGEMENT CONSULTATION	N N N N N N N N N N N N N N N N N N N		
Council:	Yes – Please see section 4.2 and Attachment 4 .		
State Authority:	Yes – Please see section 4.2 and Attachment 4 .		
RELEVANT STATE PLANNING INS	TRUMENTS		
Legislation:	Planning Act 2016 (Qld)		
Planning Policy:	Queensland State Planning Policy (July 2017)		
Planning Policy Assessment Benchmarks:	 Agriculture; Biodiversity; Natural Hazards Risk and Resilience; Energy and Water Supply; and Transport Infrastructure 		
Regional Plan:	Far North Queensland Regional Plan 2009-2031		
Regional Plan Land Use:	Regional Landscape and Rural Production Area		
Development Assessment Mapping:	 Fish Habitat Areas; Water Resources; Native Vegetation Clearing; State Transport Corridor; and Areas within 25m of a State Transport Corridor 		
Referrals:	Yes		



Other State Interests:	 Transport Noise Corridor (State-Controlled Road); and Electricity Infrastructure 		
RELEVANT LOCAL PLANNING INS	TRUMENTS		
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016		
Local Plan:	N/A		
Zone:	Rural		
Zone Precinct:	Nil		
Overlays:	 Bushfire Hazard; Environmental Significance; Hill and Slope Area; and Regional Infrastructure Corridors and Substations 		

2.2 PLANS OF DEVELOPMENT

Document	Company	Reference	Revision	Author	Reviewer	Date
Site Plan	Urban Sync	19-462	С	J. Phipps	M. Ingram	June 2019
Indicative Site Layout Plan	Urban Sync	19-462	С	J. Phipps	M. Ingram	June 2019

2.3 DOCUMENT CONTROL

Document	Company	Reference	Revision	Author	Reviewer	Date
Planning Report	Urban Sync	19-462	В	J. Phipps	M. Ingram	June 2019



SITE DETAILS

3.1 SITE DESCRIPTION

Registered Landowners:	Kathleen Colless Pty Ltd		
Site Location:	3276 and 3278 Mulligan Highway, Southedge, Mount Molloy		
Lot and Description:	Lots 2 and 3 on SP223151		
Site Area:	310ha (217.9ha (Lot 2) 93.88ha (Lot 3))		
Tenure:	Freehold		
Easements/Encumbrances:	 Easement A on CP893511 (High Voltage Electricity Easement); Easement F on SP223151 (Access Easement); and Profit A Prendre (Forestry Products for the Department of Agriculture and Fisheries) 		
Local Government Authority:	Mareeba Shire Council		



Figure 1: Site location – 3276 and 3278 Mulligan Highway, Southedge, Mount Molloy (Source: Queensland Globe, State of Queensland 2017).



Current Use/s:	Rural (cattle grazing)
Previous Uses:	Mining (minerals)
Existing Improvements:	Informal vehicle access tracks and other ancillary rural style infrastructure (i.e., fencing etc.).
Topography:	The topography of the site varies considerably with the eastern portion forming the base of the adjacent mountain range. The central and western portions are flatter, albeit remain characterised by several, smaller undulations and in general, hilly terrain.
Waterways:	There are several mapped waterways that traverse the site, although all are ephemeral streams that only flow when heavy rainfall is experienced on the site and within the wider catchment.
Vegetation:	The site contains sparse vegetation located throughout.
Environmental Management & Contaminated Land:	To the best of Urban Sync's knowledge, the site is NOT listed on the Environmental Management Register or the Contaminated Lands Register.
Heritage Places:	The site is not an identified State or local 'Heritage Place', nor are any adjacent sites.

3.2 INFRASTRUCTURE AND SERVICES

Road Frontage:	The site has an approximate 3.7km frontage to Mulligan Highway, which is identified as a State-controlled Road in Council's road hierarchy.
	The Mulligan Highway is a single lane, undivided two-way, 7m wide sealed carriage way within an approximate 60m wide road reserve.
Water & Sewerage Supply:	This site is not connected to reticulated water or sewer.
Stormwater:	Stormwater from the site appears to be via sheet flow and the existing drainage gullies, of which flow south, south east parallel to the Mulligan Highway and eventually the Gulf of Carpentaria.
Electricity & Telecommunications:	The site can be connected to electricity. Telecommunications infrastructure is not present adjacent to the site, although mobile coverage is available.

DEVELOPMENT BACKGROUND

4.1 RELEVANT APPROVALS

An online search of Council's 'existing applications' did not uncover any existing approvals over the site. We are however, aware of an existing application/approval for a Boundary Realignment to excise the access (and adjacent land) for Lot 3 on SP223141 that is currently located in Lot 2 on SP223141.

4.2 PRELODGEMENT MEETINGS

4.2.1 Council

The Applicant sought written pre-lodgement advice from Mareeba Shire Council on Thursday 6 June 2019. Council's formal pre-lodgement advice was provided on 12 June 2019 (see **Attachment 4**). Commentary on how the matters raised in Councils pre-lodgement advice have been addressed within this development application are provided below:

- a) See section 4.2;
- b) Noted;
- c) Noted;
- d) Noted and setbacks provided accordingly;
- e) See section 7.
- f) We seek that an Environmental Management Plan and Erosion and Sediment Control Plan be conditioned. Please refer to the commentary provided in response to PO8 (see **Attachment 5**). Based on this, in this instance, we are of the view that an Ecological Assessment Report is not required;
- g) Please refer to Attachment 2;
- h) Please refer to section 5; and
- i) Please see Attachment 4 and below.

4.2.2 The Department of State Development, Manufacturing, Infrastructure and Planning

Pre-lodgement advice was also sought from the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) on Thursday 6 June 2019. DSDMIP provided their pre-lodgement advice on 20 June 2019 and then provided amended pre-lodgement advice on 21 June 2019 (see **Attachment 4**). Commentary on how the matters raised in DSDMIP's pre-lodgement advice have been addressed within this development application are provided below:

- 1. Noted;
- 2. Noted;
- 3. Please see Attachment 6;
- 4. Please see Attachment 2;
- 5. Please refer to Section 5 of this Planning Report for commentary on traffic expected to be generated by the development. The existing 50m wide apron/invert crossing off the Mulligan Highway to the site is proposed to be upgraded with rolled and compacted roadbase to allow heavy rigid vehicles to safely enter and exit the site. Accordingly, a swept path analysis is not considered necessary in this instance;
- 6. Noted;



7.	A request for a 22A determination has been submitted and will be provided in due course;
8.	Please see Attachment 6 ;
9.	Noted;
10.	Noted;
11.	Noted. It is not expected that the development will involve any waterway barrier works;
12.	Noted. No overland flow water is proposed to be taken.
13.	Noted;
14.	Noted; and

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15. Noted.



DEVELOPMENT PROPOSAL

5.1 GENERAL DESCRIPTION

This development application seeks the requisite statutory development approval from Council to support the establishment of a new Concrete Recycling Yard over part of Lots 2 and 3 on SP223151 at 3276 and 3278 Mulligan Highway, Southedge, Mount Molloy. Accordingly, this development application seeks the following approval:

Development Permit for a Material Change of Use for High Impact Industry (Concrete Recycling Yard
 no more than 5,000 tonnes per year).

5.2 PROPOSAL DETAILS

The site forms part of land holdings previously belonging to the former Wetherby Station which was originally established in 1878. More recently, Wetherby Station has subdivided off inferior areas of land (including the site) that have not been considered historically productive and/or commercially viable for the future grazing of cattle. **Error!** Reference source not found.

The development will utilise an approximate 2ha area of Lot 3 for the storage, recycling and reuse of concrete. The development will involve the delivery, sorting, screening, crushing or storage of **no more** than 5,000 tonnes of concrete per year. The remainder of the site will continue to be used for cattle grazing with 25-30 head of cattle to be retained.

The concrete will be trucked to the site sporadically with the maximum number of truck visits to the site per year to be 195 x 25-ton semi-truck loads. Truck visits will however, vary, with between five (5) and twenty 25 truck visits per month anticipated (truck movements will be entirely dependent on the number of demolition projects completed by the Applicant and some months, there will likely be no truck movements at all).

A mobile crushing plant from 'Kidners Contracting' in Ravenshoe will be mobilised to site 2 or 3 times per year to turn the concrete waste stockpile into useable road base materials. At other times, the following machinery will be permanently stationed on site for the sorting of different sizes of crushed concrete:

- 1 x end loader;
- 2 x excavators with grab and rock breaker attachments;
- 1 x tip truck;
- 1 x bobcat skid steer; and
- A mechanical screening plant.

Crushing and processing of concrete will not last more than 14 working days on each of the 2 or 3 occasions per year. Normal weekly working hours comprising 8am-5pm (Monday-Friday) and Saturday hours of 8am-1pm will apply for any such concrete crushing and processing works.

Two (2) shed structures will be constructed on the site over the course of the first three (3) years of operation and are expected to be approximately 450m^2 each and have a maximum height of 6m. These sheds will be primarily used for the all-weather housing of any/all required processing plant and equipment and staff vehicles. The 2ha recycling yard will be fully fenced.

The development will employ up to six (6) staff on site at any one time and will not involve any customers as the development will not open to the general public. Staff car parking will be provided in the proposed sheds.

An Environmental Management and Erosion and Sediment Control Plans to be prepared prior to the commencement of the use which will outline how the development will suitably address all environmental matters (air, noise, water, waste etc.).

5.3 STAGING

The development will not be staged, although the sheds may not be constructed straight away.

5.4 ENGINEERING AND INFRASTRUCTURE PROVISION

5.4.1 Water Supply

The applicant will be contracting local water drilling company 'Serra Drilling' to sink a suitable bore (including the provision of $1 \times 50,000$ litre storage tank) for all the developments water needs.

Water for staff will be provided via 15 litre bottles of potable water, all of which will be delivered by 'Babinda Springs'.

A separate 30,000 litre tank will also be provided for firefighting purposes.

5.4.2 Sewerage Supply

The development will be serviced by an on-site (mobile) toilet/ablutions block.

5.4.3 Electricity and Telecommunications

The development will be provided with an overhead electricity at some time in the future. Solar will be sued in the interim.

Mobile phones will be used for telecommunications.

5.4.4 Stormwater (Quantity)

Stormwater from the 2ha concrete recycling yard will be collected and discharged to the south, south-east, generally running parallel to the Mulligan Highway and via the existing drainage gullies and general sheet flow. Full details of the treatment methods will be included in the Environmental Management Plan to be prepared prior to the commencement of the use.

Stormwater flows and regimes on all other parts of the site will be left in their existing state.

5.4.5 Stormwater (Quality)

Stormwater from the 2ha concrete recycling yard will be treated (swales or the like) before being discharged to the existing drainage gullies. Full details of the treatment methods will be included in the Environmental Management Plan to be prepared prior to the commencement of the use.

5.4.6 Bulk Earthworks

No earthworks are required or proposed to facilitate the development.

5.4.7 Erosion and Sediment Control

An Erosion and Sediment Control Plan will be prepared prior to the commencement of the use.

5.5 TRANSPORT AND ACCESSIBILITY

5.5.1 External Upgrades

The existing 50m wide apron/invert crossing off the Mulligan Highway to the site is proposed to be upgraded with rolled and compacted roadbase to allow heavy rigid vehicles to safely enter and exit the site. The 'driveway' between the Mulligan Highway carriageway and site boundary are also proposed to be upgraded using rolled and compacted roadbase and to a width of approximately 12m wide.



5.5.2 Internal Upgrades

All access and internal roadways will be upgraded and will be continually maintained and graded with suitable gravel and road base materials.

5.5.3 Access Locations

Access to the site will be via the existing access on the Mulligan Highway and the access easement in Lot 2 on SP223151.

An application for a Boundary Realignment to include the access in Lot 3 on SP223151 is currently progressing and upon the registration of the new titles, the existing access easement in Lot 2 will be extinguished.

5.6 INFRASTRUCTURE CHARGES

In accordance with the pre-lodgement advice received from Council on 12 June 2019, as the site is located outside of the Priority Infrastructure Area and will be accessed directly off the Mulligan Highway (State-controlled Road), it was advised that no infrastructure charges will be applicable to the development (refer to **Attachment 4**).



LEGISLATIVE REQUIREMENTS

6.1 PLANNING ACT 2016

6.1.1 Confirmation that the Development is not Prohibited

The development is not prohibited. This has been established by considering all the relevant State and local instruments which can provide prohibitions under the PA, including Schedule 10, Parts 2-5, Parts 10-11 and Parts 16 and 20, of the *Planning Regulation 2016* ('PR'). We note that a 22A determination will be provided in due course.

6.1.2 Assessable Development

The development involves a Material Change of Use in respect of the 'start of a new use of the premises'. A Material Change of Use for the use being applied for is **Impact Assessable** and is hence, deemed to be considered "Assessable Development" pursuant to Section 44 (3) of the PA, which states that "Assessable Development is development for which a development approval is required."

6.1.3 Statutory Considerations for Assessable Development

When assessing the application, the relevant considerations of the Assessment Manager in making the decision are in accordance with Sections 59, 60(2), and 62 of the PA and Sections 25 to 28 of the PR.

6.1.4 Assessment Manager

The Assessment Manager for this development application is Mareeba Shire Council, as determined by Schedule 8 of the PR.

6.2 FAR NORTH QUEENSLAND REGIONAL PLAN

The site is located within the 'Regional Landscape and Rural Production' Regional Land Use Category of the Far North Queensland 2009-2031 (see **Attachment 3**). The Minister has identified that the planning scheme, specifically the Strategic Framework, appropriately advances the FNQRP 2009-2031. Hence, compliance with the FNQRP is demonstrated through the compliance with the Planning Scheme (refer to this report and attachments for demonstration of this compliance).

6.3 STATE PLANNING POLICY

The State Planning Policy (SPP) came into effect on July 2017 under the PA. Part E of the SPP includes an array of State interests and associated assessment benchmarks which need to be considered during the development assessment process, where these State interests have not already been appropriately reflected within the relevant planning scheme. A review of the SPP mapping indicates that the proposed development/site is subject to several State interests, as outlined below (see also **Attachment 3**):

- Agriculture (Stock Route Network);
- Biodiversity (MSES Regulated Vegetation (Intersecting a Watercourse));
- Natural Hazards Risk and Resilience (Bushfire Prone Area.
- Energy and Water Supply (Major Electricity Infrastructure (Ergon));
- Transport Infrastructure (State-controlled Road).

The Minister has identified that the Planning Scheme appropriately advances the SPP. Accordingly, all the applicable State interests have been appropriately reflected in the Planning Scheme and in turn, compliance with the SPP is demonstrated through the compliance with the Planning Scheme (refer to this report and attachments for demonstration of this compliance).



6.4 REFERRALS & STATE DEVELOPMENT ASSESSMENT PROVISIONS

A review of the DA mapping system indicates that the site is subject to the following matters of State interest (see **Attachment 3**):

- Fish Habitat Areas (Queensland Waterways for Waterway Barrier Works);
- Water Resources (Water Resource Planning Area Boundaries);
- Native Vegetation Clearing (Regulated Vegetation Management Map Category A and B Extract);
- State Transport Corridor (State-controlled Road); and
- Areas Within 25m of a State Transport Corridor (Area within 25m of a State-controlled Road).

In consultation with the PR and the above identified matters of interest, the development triggers the following referrals:

- State Assessment Referral Agency Schedule 10, Part 3, Division 4, Table 3 Material Change of Use that is assessable development under a local categorising instrument (clearing native vegetation);
- State Assessment Referral Agency Schedule 10 Part 9, Division 4, Subdivision 2, Table 4 Material Change
 of Use of premises near a State Transport Corridor or that is a future State Transport Corridor (within 25m of
 State Transport Corridor); and
- Chief Executive of Ergon Schedule 10, Part 9, Division 2, Table 2 Material Change of Use of premises near
 a substation site or subject to an easement (Advice Agency Only).

As a result, the following module of the State Development Assessment Provisions (version 2.4) are applicable:

- State Code 1 Development in a State-controlled Road Environment; and
- State Code 16 Native Vegetation Clearing.

A full assessment against both modules is provided in **Attachment 6.**

6.5 PLANNING SCHEME (MAREEBA SHIRE COUNCIL PLANNING SCHEME 2016)

6.5.1 Use Definition

The proposed development is defined under the Planning Scheme as:

'High Impact Industry':

"Premises used for industrial activities that include the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products and have one or more of the following attributes:

- Potential for significant impacts on sensitive land uses due to offsite emissions, including aerosol, fume, particle, smoke, odour and noise;
- Potential for significant offsite impacts in the event of fire, explosion or toxic release;

- Generates high traffic flows in the context of the locality or the road network;
- Generates a significant demand on the local infrastructure network;
- The use may involve night-time and outdoor activities;
- Onsite controls are required for emissions and dangerous goods risks."

6.5.2 Applicable Overlays

The site is affected by the following Planning Scheme overlays:

- Bushfire Hazard (Potential Impact Buffer (100 Meters), Medium, High and Very High Potential Bushfire Intensity);
- Environmental Significance (Ecological Corridor);
- Hill and Slope (Hill and Slope Area); and
- Regional Infrastructure Corridors and Substation Overlay Code (Major Electricity Infrastructure High Voltage and Stock Route).

6.5.3 Applicable Codes

The development is subject to assessment against the following relevant codes and provisions of the Planning Scheme:

Table 1: Relevant Codes

Scheme Component	Comment
Zone Code	
Rural Zone Code	Refer to Attachment 5 and Section 6.6.2
Local Plan Code	
N/A	N/A
Overlay Codes	
Bushfire Hazard Overlay Code;	Refer to Attachment 5 and Section 6.6.3
Environmental Significance Overlay Code;	
Hill and Slope Area Overlay Code; and	
Regional Infrastructure Corridors and Substation Overlay Code.	
·	
Development Codes	
Industrial Activities Code;	Refer to Attachment 5 and Section 6.6.4.
Landscaping Code;	
Parking and Access Code; and	
Works, Services and Infrastructure Code.	

6.6 PLANNING SCHEME ASSESSMENT

Based on a reasonable assessment, the Planning Scheme does not prevent or discourage the development from being located in the rural zone, on the proviso that all development impacts can be suitably managed. Accordingly, the development needs to be considered and assessed on its merits, in the context of the site, adjoining neighbours, the pattern of existing and approved urban development, and the design arrangements proposed. Based on this, Urban Sync undertook a full assessment of the proposed development against the applicable codes of the Planning Scheme and this assessment is included in **Attachment 5**.

Where the proposed development does not comply with a 'deemed to comply' Acceptable Outcome, a performance-based assessment has been provided to demonstrate, based on sound planning grounds, that compliance with the



corresponding Performance Outcome and in turn, the applicable code, can still be achieved. To put a performance-based assessment in to context, it is important to note that a non-compliance with one or more Acceptable Outcomes does not, of itself, establish conflict with the Planning Scheme. With this in mind, we have confidence that a complete performance-based assessment by Council will consider the project in its context, and in doing so, accept the alternative solutions being proposed.

6.6.1 Strategic Framework

The Strategic Framework of the Planning Scheme sets out a broad policy direction for the Mareeba Shire Council Local Government Area, offering a series of themes to guide appropriate development outcomes for the life of the Planning Scheme. Additionally, in respect to the provisions of the PR, particularly S31(1)(b), the Assessment Manager must have regard to the whole Planning Scheme, including its Strategic Framework, when deciding an Impact Assessable application. Therefore, this section of the report includes planning commentary addressing the elements of the strategic framework that are applicable to the site/development in support of the development.

Commentary has been provided on the following relevant parts of the strategic framework (as identified as relevant by Council as part of pre-lodgement discussions).

6.6.1.1 3.3.11. Element - Rural Areas

• 3.3.11.1(1): "Rural areas include rural activities and land uses of varying scale, consistent with surrounding land use, character and site conditions':

Response:

The development has been located to utilise the site's location on a large vacant rural site, positioned between two (2) ridges to appropriately address site constraints and amenity issues associated with the development.

It has also been demonstrated throughout this report that the development is able to sufficiently mitigate any adverse environment and landscape impacts (see Code Assessment in **Attachment 5**). We acknowledge conditions of approval may be required to ensure this occurs.

 3.3.11.1(2): "Land in rural areas is maintained in economically viable lot sizes, ensuring that regional landscape and rural production values are not compromised by fragmentation, alienation or incompatible land uses":

Response:

The development will not involve the reconfiguration of the land.

- 3.3.11.1(3): "Tourism, rural industry, intensive animal industries and outdoor recreation facilities are developed in the rural area in a way which:
 - a) Does not impede or conflict with agricultural activities and production; and
 - b) Does not compromise rural character and scenic qualities; and
 - c) Does not adversely impact on ecological and biodiversity values":

Response:

The development will not involve tourism, rural industry, intensive animal industries or outdoor recreation facilities.

• 3.3.11.1(4): "Other rural areas will be largely maintained in their current configuration, only being subdivided where viable holdings are achieved and the infrastructure base of rural operations including workers accommodation, airstrips and farm infrastructure is provided":



Response:

The development will not involve the reconfiguration of the land.

 3.3.11.1(5): "Rural lifestyle, tourism, outdoor recreation, horticultural activities and natural bushland uses may be considered in other rural areas where appropriately located, serviced and otherwise consistent with the Strategic Framework":

Response:

The development will not involve any of the listed uses.

 3.3.11.1(6): "Agricultural areas will be retained in viable holdings and not fragmented or compromised by unsuitable development. Uses and development within this precinct will not cause land use conflicts with primary production or will ensure these conflicts are mitigated":

Response:

The development will not involve the reconfiguration of the land. Please refer to section 7 of this report for demonstration that the development will not result in any adverse land use or amenity impacts on nearby sensitive land uses.

3.3.11.1(7): "Rural areas preserve lands for future uses beyond the life of the planning scheme":

Response:

The development will only occupy an approximate 2ha of a 94ha site (Lot 3). Cattle gazing will also continue on this allotment. Hence, while the development is utilizing a rural parcel of land, it is doing so in a compatible way. This ensures the development is not compromising the long-term ability for Lot 3, nor any other adjacent rural zoned allotments to be used for rural purposes.

It is also important to note that the development requires separation from sensitive land uses due to its impacts. This, combined with a shortage of Industrial zoned land within the Shire which is suitably sized, located (with respect to proximity to sensitive land uses) and available for sale, in this instance, a rural location is required.

3.3.11.1(8): "Historical townships located in rural areas are generally cadastral anomalies. Historical townships are generally below current infrastructure standards in respect to roads, stormwater drainage, water and sewerage infrastructure and are not intended to be developed or further subdivided. Historical townships are not always named, and include":

b)	Calcifer;
c)	Kingsborough;
d)	Koorboora;
e)	Montalbion;
f)	Mt Mulligan;
g)	Northcote;
h)	Petford;
i)	Stannary Hills;
i)	Thornborough; and

Almaden;



k) Watsonville.

Response:

The site is not located in a historical township.

6.6.1.2 3.4.5 Element – Strategic Rehabilitation and Ecological Corridors

 3.4.5.1(1): "Ecological corridors are major existing habitat corridors that link key biodiversity areas within Mareeba Shire and greater Far North Queensland region. Development does not compromise the habitat connectivity of ecological corridors':'

Response:

The site is located in between the Mulligan Highway to the west and a large cleared area used for high voltage powerlines to the east and south. Hence, the area adjacent to the 2ha concrete recycling yard is already highly fragmented. The ideal area for the preservation of habitat linkages is to the east of the high voltage power lines.

Also worthy of note is that the development will result in only 2ha of a 94ha site (Lot 3) being cleared and that there are significant areas of vegetated lands to the north, south and east of the 2ha concrete recycling yard that can continue to be used for ecological corridors.

The development will also maintain an approximate 115m wide corridor between the 2ha concrete recycling yard and the Mulligan Highway and an approximate 60m wide corridor between the 2ha concrete recycling yard and the cleared area to the east that accommodates the high voltage powerlines. This will ensure that ecological corridors adjacent to the 2ha concrete recycling yard are still available for movement north and south. There also remains vegetation to the north and south of the 2ha concrete recycling yard of sufficient width to ensure ecological corridors are retained and permit movement east and west. We are of the view that this is sufficient to ensure compliance with the Performance Outcome.

3.4.5.1(1): "Habitat linkages are strategically located future habitat corridors linking biodiversity areas within
the shire. Development does not compromise the ability to realise these opportunities for ecological connectivity
through progressive revegetation of habitat linkages with native vegetation":

Response:

There are no habitat 'linkages' on the site.

6.6.1.3 3.6.10 Element - Energy Supply

 3.6.10.1(1): "Adequate, sustainable, reliable and secure electricity supply infrastructure is provided to the shire, including new development":

Response:

The development will not involve the implementation of new electrical infrastructure. The existing electrical infrastructure located adjacent to the site will be maintained and the development has been appropriately located to ensure that the existing infrastructure is not compromised.

• 3.6.10.1(2): "High voltage major electrical infrastructure and energy generation facilities are protected from conflicting development":

Response:

The development will be suitably setback form the adjacent high voltage infrastructure. Ergon will provide any other additional information deemed necessary in relation to setbacks from their infrastructure.

• 3.6.10.1(3): "The shire's net carbon emissions are reduced by establishment of renewable energy generation facilities, maintaining compact urban areas and encouraging development that embraces energy efficient design features":

Response:

The development will utilise solar as much as possible.

 3.6.10.1(3): "Renewable energy facilities are connected to an existing, nearby, high voltage electricity network (with adequate capacity) without significant environment, social or amenity impact":

Response:

The development does not involve renewable energy generation facilities.

6.6.2 Rural Zone Code

The development complies with, or can be conditioned to comply with, the Rural Zone Code.

6.6.3 Overlay Codes

Bushfire Hazard Overlay Code

The development complies with, or can be conditioned to comply with, the Bushfire Hazard Overlay Code.

Environmental Significance Overlay Code

The development complies with, or can be conditioned to comply with, the Environmental Significance Overlay Code.

Hill and Slope Area Overlay Code

The development will be located on part of the site that is not affected by the Hill and Slope overlay. As a result, a full assessment against the code is not considered warranted and has not been provided in this instance.

Regional Infrastructure Corridors and Substations Overlay Code

The development complies with the Regional Infrastructure Corridors and Substations Overlay Code.

6.6.4 Development Codes

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Industrial Activities Code

The development complies with the Industrial Activities Code.

Landscaping Code

The development complies with or can be conditioned to comply with the Landscaping Code.

Parking and Access Code

The development complies with, or can be conditioned to comply with, the Parking and Access Code.

Works, Services and Infrastructure Code

The development complies with, or can be conditioned to comply with, the Works, Services and Infrastructure Code.



DISCUSSION – KEY PLANNING MATTERS

This section of the report seeks to provide additional commentary along with technical justification in support of the key matters considered relevant to the assessment, namely zoning, land use conflicts and amenity.

7.1 ZONING

Generally, 'High Impact Industry' land uses are not entirely consistent with the intent of the Rural zone for which the site is located in. However, and in relation to this, Overall Outcome (d) of the Rural Zone Code States:

"uses that require isolation form urban areas as a consequence of their impacts such as noise or odour may be appropriate where land use conflicts are minimised"

The development requires separation from sensitive land uses due to its impacts. Moreover, there is a shortage of Industrial zoned land within the Shire which is suitably sized, located (with respect to proximity to sensitive land uses) and available for sale. As a result, in this instance, a rural location is required. To demonstrate the sites suitably to accommodate the development, a full assessment against the higher order provisions of the Rural Zone Code is provided below, namely to demonstrate the development does not conflict with the purpose or overall outcomes of the Rural Zone Code

Table 2: Assessment Against the Purpose and Overall Outcomes of the Rural Zone Code

Code Requirement	Comment Comment		
The Purpose of the Rural Zone Code is to			
"Provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities."	The development will not hinder the ability for these uses to be located within the Rural zone. See also below.		
"Provide opportunities for non-rural uses that are compatible with agriculture, the environmental features, and landscape character of the rural area where the uses do not compromise the long-term use of the land for rural purposes."	It has been demonstrated throughout this report that the development is able to sufficiently mitigate any adverse environment and landscape impacts (see Code Assessment in Attachment 5). We acknowledge conditions of approval may be required to ensure this occurs.		
	In addition, the development will only occupy an approximate 2ha area of a 94ha site (Lot 3). Cattle gazing will also continue on this allotment. Hence, while the development is utilizing a rural parcel of land, it is doing so in a compatible way. This ensures the development is not compromising the long-term ability for Lot 3, nor any other adjacent rural zoned allotments to be used for rural purposes.		
"Protect or manage significant natural resources and processes to maintain the capacity for primary production."	The development will not hinder access to any significant natural resources that may exist on the site. For example, any such resources will be identified and permitted to be accessed under the Mineral Resources Act (exploration permit over a portion of the site that excludes the 2ha concrete recycling yard being assessed).		

(

Mareeba Shire Councils purpose of the Rural zone is to recognise the importance of primary production to the economy of the region and to maintain and strengthen the range of primary industries which contribute to the rural economy. The purpose of the Rural Zone code is to:

"Recognise the diversity of rural uses that exists throughout the region."	The development will not compromise the diversity of rural uses within the Shire.
"Protect the rural character of the region."	It has been demonstrated throughout this report that the development is able to suitably mitigate any adverse landscape/character impacts (see section 7.2.5). We acknowledge conditions of approval may be required to ensure this occurs.
"Provide facilities for visitors and tourists that are accessible and offer a unique experience."	The development does not provide facilities for tourists or visitors.
"Protect the infrastructure of the Mareeba-Dimbulah Irrigation Scheme Area from development which may compromise long term use for primary production."	The development will not have a negative impact on the mentioned infrastructure.
"Maintain distinct boundaries between the rural areas and the villages, towns and urban areas of the region."	The development will not compromise the achievement of this purpose statement.
"Provide for a range of uses, compatible and associated with rural or ecological values including recreational pursuits and tourist activities."	The development will not compromise the achievement of this purpose statement.
"Prevent adverse impacts of development on ecological values."	It has been demonstrated throughout this report that the development is able to sufficiently mitigate any adverse environmental impacts (see Code Assessment in Attachment 5). We acknowledge conditions of approval may be required to ensure this occurs.
"Preserve land in large holdings."	The development does not involve subdivision.
"Facilitate the protection of strategic corridors across the landscape which link remnant areas of intact habitat and transport corridors."	It has been demonstrated throughout this report that the development is able to sufficiently mitigate any adverse environmental impacts (see Code Assessment in Attachment 5). We acknowledge conditions of approval may be required to ensure this occurs.

Overall Outcomes

"The purpose of the Rural code will be achieved through the following overall outcomes:

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"Areas for use for primary production are conserved and fragmentation below economically viable lot sizes is avoided."

The site has recently been subdivided from Wetherby Station due to it been considered historically unproductive and/or commercially viable for the future grazing of cattle. Regardless, low intensity cattle grazing will continue on the site which will maintain a rural use on the land.

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	The development does not involve the subdivision of land. Error! Reference source not found.
"The establishment of a wide range of rural pursuits is facilitated, including cropping, intensive horticulture, forestry, intensive animal industries, animal husbandry and animal keeping and other compatible primary production uses."	The development will not hinder the ability for these uses to be located within the rural zone.
"The establishment of extractive industries, mining and associated activities and alternative forms of energy generation is appropriate where environmental impacts and land use conflicts are minimized."	The development does not involve any of the listed activities.
"Uses that require isolation from urban areas as a consequence of their impacts such as noise or odour may be appropriate where land use conflicts are minimized."	The development is one such use. It has been demonstrated throughout this report that the development is able to sufficiently mitigate any land use and adverse amenity impacts (see section 7.2) which demonstrates its suitability.
"Development is reflective of and responsive to the environmental constraints of the land."	It has been demonstrated throughout this report that the development is able to sufficiently mitigate any adverse environmental impacts (see Code Assessment in Attachment 5). We acknowledge conditions of approval may be required to ensure this occurs.
"Residential and other development is appropriate only where directly associated with the rural nature of the zone."	The development requires separation from sensitive land uses due to its impacts. Moreover, there is a shortage of Industrial zoned land within the Shire which is suitably sized, located (with respect to proximity to sensitive land uses) and available for sale. As a result, in this instance, a rural location is required. The assessment provided throughout the report has demonstrated that the development can be located on the site and avoid any adverse environmental, land use or amenity impacts.
"Low-impact tourism and recreation activities do not compromise the long-term use of the land for rural purposes."	The development does not involve either of the listed uses.

7.2 LAND USE CONFLICTS & AMENITY

In addition to the commentary provided in section 7.1, this section seeks to demonstrate that the development will not result in any land use conflicts and/or any unacceptable amenity impacts (amenity impacts based on those matters listed in PO6 of the Rural Zone Code).

7.2.1 Hours of Operation

The development will not operate outside of 'standard' hours of operation.

7.2.2 Traffic

The site gain access from a State-controlled road where high volumes of traffic (including heavy vehicles) should be expected by any nearby sensitive land uses.



7.2.3 Advertising Devices

The development does not involve any advertising devices (as defined in the Planning Scheme).

7.2.4 Noise, Odour, Light and Emissions

Performance Outcome PO1 of the Industrial Activities Code requires a 500m separation distance between High Impact Industrial and sensitive land uses for the protection of noise, odour, light and emissions. We also note the proximity of an airstrip, mining activities and a State-controlled road all within close proximity of the site and all of which are likely to contribute towards higher than average background noise levels in the immediate locality. This, combined with the fact that the development will be located approximately 2.5km from the nearest existing dwelling house (see **Figure 2**), leads Urban Sync to the view that the development has provided a more than adequate separation distance from all nearby sensitive land uses to sufficiently mitigate any potential negative impacts as a result of noise, odour, light and/or emissions. Full details of how these matters will be mitigated will be included in the Environmental Management Plan to be prepared prior to the commencement of the use.

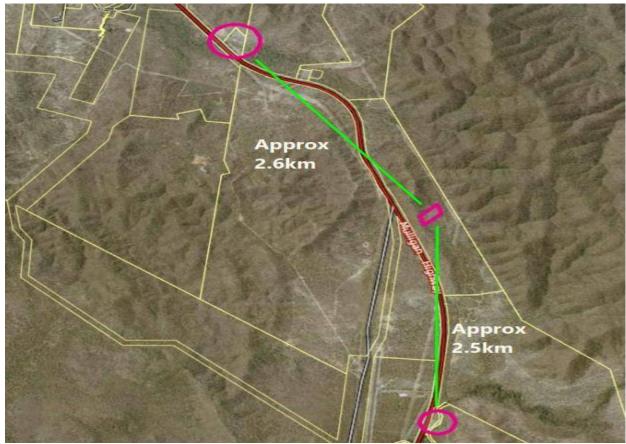


Figure 2: Approximate location of nearest sensitive land sues (Source: Queensland Globe, State of Queensland 2017).

7.2.5 Visual Amenity

The 2ha concrete recycling yard has been located on site, generally in between two (2) mountain ridges. Furthermore, a significant amount of existing vegetation between the 2ha concrete recycling yard and the Mulligan Highway will be retained. This will ensure the development is suitably screened from nearby sensitive land sues AND does not have negative impact on the visual amenity of the wider locality.

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7.2.6 Privacy

As per 7.2.1 and 7.2.5.



8 CONCLUSION

This report supports a development application made by Martin Anton seeking the requisite statutory development approval from Mareeba Shire Council to support the establishment of a Concrete Recycling Yard High over part of Lots 2 and 3 on SP223151 at 3276 and 3278 Mulligan Highway, Southedge, Mount Molloy. Accordingly, this application has sought the following development approval from Council:

 Development Permit for a Material Change of Use for High Impact Industry (Concrete Recycling Yard – no more than 5,000 tonnes per year).

This report has described the development, identified the applicable statutory and legislative requirements of Mareeba Shire Council under their Planning Scheme, the *Mareeba Shire Council Planning Scheme 2016*, as well as those at the State level under the *Planning Act 2016*, *Planning Regulation 2017* and other, relevant State legislation and requirements, and in doing so, demonstrated the suitability of the land to accommodate a Concrete Recycling Yard.

This development application report highlighted that there are very few departures away from the 'deemed to comply' Acceptable Outcomes, although where these departures have been identified, a performance-based assessment has been provided to justify and demonstrate, based on sound planning grounds, that compliance with the corresponding Performance Outcome and in turn, the relevant Assessment Benchmarks, can still be achieved. We acknowledge that the development is not entirely consistent with the intent of the Rural zone, although the report has outlined, based on sound planning grounds that in this instance, the development is suitably located as:

- It will not compromise the achievement of the relevant Strategic Outcomes of the Planning Scheme;
- It will not compromise the purpose or intent of the Rural zone code being achieved;
- It will not conflict with any of the overall outcomes of the Rural zone code;
- Can sufficiently mitigate any adverse environmental impacts (we acknowledge that conditions of approval may be required to ensure this occurs); and
- Will not result in any unacceptable land use conflicts with nearby sensitive land uses.

With the above in mind, we now submit this application to Council for assessment and trust that it suitably addresses all the statutory requirements under the Planning Scheme and State legislation to allow favourable consideration, subject to the imposition of reasonable and relevant conditions.

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ATTACHMENT 1:

DA FORM 1



DA Form 1 – Development application details

Approved form (version 1.1 effective 22 JUNE 2018) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving building work.

For a development application involving building work only, use DA Form 2 – Building work details.

For a development application involving **building work associated with any other type of assessable development** (i.e. material change of use, operational work or reconfiguring a lot), use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

Note: All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Martin Anton
Contact name (only applicable for companies)	C/- Matt Ingram of Urban Sync Pty Ltd
Postal address (P.O. Box or street address)	PO Box 2970
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	(07) 4051 6946
Email address (non-mandatory)	matt@urbansync.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	19-462

2) Owner's consent
2.1) Is written consent of the owner required for this development application?
☑ Yes – the written consent of the owner(s) is attached to this development application
☐ No – proceed to 3)



PART 2 - LOCATION DETAILS

					3) as applicable) premises part of the development	t application. For further information, see <u>DA</u>
Forms (<i>Guide: Relevan</i> reet addres:	t plans.		irror arry or arr p	remises part of the development	тарриванон: 1 от Таннот иногинаноп, все <u>от</u>
				ots must be liste	od) or	
			•		•	premises (appropriate for development in
					must be listed).	p (app. ap
	Unit No.	Street No.	Stree	t Name and	Туре	Suburb
a)		3276	Mulli	gan highway		Mount Molloy
a)	Postcode	Lot No.	Plan	Type and Nu	ımber (e.g. RP, SP)	Local Government Area(s)
	4871	2	SP22	23151		Mareeba Shire Council
	Unit No.	Street No.	Stree	t Name and	Туре	Suburb
b)		3278	Mulli	gan Highway		Mount Molloy
b)	Postcode	Lot No.	Plan	Type and Nu	ımber (e.g. RP, SP)	Local Government Area(s)
	4871	3	SP22	23151		Mareeba Shire Council
3.2) Co	oordinates o	of premises	appropriate	e for developme	nt in remote areas, over part of a	lot or in water not adjoining or adjacent to land
				e row. Only one	set of coordinates is required for	r this part.
Co.	ordinates of	premises by	/ longitud	de and latitud	e	
Longit	ude(s)	La	titude(s)		Datum	Local Government Area(s) (if applicable)
					☐ WGS84	
					☐ GDA94	
					Other:	
Co.	ordinates of	premises by	easting	and northing	1	
Eastin	g(s)	Northing	(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
				☐ 54 ☐ WGS84		
				☐ 55 ☐ GDA94		
0.0\.4	□ 56 □ Other:					
3.3) Additional premises Additional premises are relevant to this development application and their details have been attached in a						
	altional prem ule to this ap		evant to	tnis developr	nent application and their	details have been attached in a
	required	phoduon				
	•					
4) Ider	ntify any of t	he following	that app	ly to the prer	nises and provide any rele	vant details
					•	
 ✓ In or adjacent to a water body or watercourse or in or above an aquifer Name of water body, watercourse or aquifer: Unknown ephemeral stream/s						
On strategic port land under the <i>Transport Infrastructure Act 1994</i>						
Lot on plan description of strategic port land:						
Name of port authority for the lot:						
	tidal area					
_		ernment for	the tidal	area (if applica	able):	
	Name of local government for the tidal area (if applicable): Name of port authority for tidal area (if applicable):					
On airport land under the Airport Assets (Restructuring and Disposal) Act 2008						
Name of airport:						
	Listed on the Environmental Management Register (EMR) under the Environmental Protection Act 1994					

EMR site identification:					
Listed on the Contaminated Land Register (CLR) under the Environmental Protection Act 1994					
CLR site identification:					
5) Are there any existing easements over the premises? Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see <u>DA Forms Guide</u> .					
	submitted with this development				
Note: Easement uses vary throughout Queensland and are to be identified correctly and accurate how they may affect the proposed development, see <u>DA Forms Guide</u> . Yes – All easement locations, types and dimensions are included in plans application					

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of develo	pment							
6.1) Provide details about the firs	t development aspect							
a) What is the type of developme	ent? (tick only one box)							
☑ Material change of use	☐ Reconfiguring a lot	Operational work	☐ Building work					
b) What is the approval type? (tick	k only one box)							
□ Development permit	☐ Preliminary approval	☐ Preliminary approval that a variation approval	at includes					
c) What is the level of assessme	c) What is the level of assessment?							
☐ Code assessment		res public notification)						
d) Provide a brief description of t lots):	he proposal (e.g. 6 unit apartment t	ouilding defined as multi-unit dwelling	, reconfiguration of 1 lot into 3					
Concrete Recycling Yard (no mo	re than 5,000 tonnes per year)							
e) Relevant plans Note: Relevant plans are required to be selevant plans.	submitted for all aspects of this develo	oment application. For further informa	ation, see <u>DA Forms guide:</u>					
$oxed{\boxtimes}$ Relevant plans of the propose	ed development are attached to	the development application						
6.2) Provide details about the se	cond development aspect							
a) What is the type of developme	ent? (tick only one box)							
☐ Material change of use	Reconfiguring a lot	Operational work	☐ Building work					
b) What is the approval type? (tic.	k only one box)							
☐ Development permit	☐ Preliminary approval	☐ Preliminary approval that approval	at includes a variation					
c) What is the level of assessme	nt?							
☐ Code assessment	Impact assessment (requi	res public notification)						
d) Provide a brief description of the proposal (e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):								
e) Relevant plans Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see <u>DA Forms Guide:</u> Relevant plans.								
Relevant plans of the proposed development are attached to the development application								
6.3) Additional aspects of development								
Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application								

Not required ■						
Section 2 – Further developmer	nt details					
7) Does the proposed development		ve any of the follov	ving?			
Material change of use Yes – complete division 1 if assessable against a local planning instrument						
Reconfiguring a lot						
Operational work	Yes – complete o	livision 3				
Building work	Yes – complete <i>L</i>	DA Form 2 – Buildi	ng work det	ails		
Division 1 – Material change of use Note: This division is only required to be completed to be the completed to be the completed to be complet	eted if any part of the	development application	on involves a n	naterial ch	ange of use asses	sable against a
8.1) Describe the proposed materia						
Provide a general description of the proposed use		e planning scheme in definition in a new row			er of dwelling fapplicable)	Gross floor area (m²) (if applicable)
Concrete Recycling Yard	High Impa	ct Industry				Refer to attached plans
8.2) Does the proposed use involve	the use of existi	ng buildings on the	premises?			
∐ Yes						
⊠ No						
Division 2 – Reconfiguring a lot						
lote: This division is only required to be comple			on involves red	onfiguring	a lot.	
9.1) What is the total number of exist	sting lots making	up the premises?				
9.2) What is the nature of the lot red	configuration? (tic	k all annlicable hoves)				
Subdivision (complete 10))	sormgaration: (ac	_	nto parts by	agreen	nent (complete 11	())
Boundary realignment (complete 1	(2))	☐ Creating or changing an easement giving access to a lot				
		from a constr				
10) Subdivision 10.1) For this development, how ma	any lote are being	created and what	is the inten	معدد لمما	of those lots:	
·	esidential	Commercial	Industrial	aca asc	Other, please	snecify.
Internace according to the created	oordornar	Commordian	madotriar		Other, produce	opcony.
Number of lots created						
10.2) Will the subdivision be staged	l?					
☐ Yes – provide additional details ☐ No	below					
How many stages will the works inc	clude?					
What stage(s) will this development apply to?	t application					

11) Dividing land in parts?	to parts by aç	greement – ho	w mar	ny parts are	being (created and wha	at is th	e intended use of the	
Intended use of par	ts created	Residential	Commercia		I Industrial		C	Other, please specify:	
Ni wahay af wayta aya									
Number of parts cre	ealed								
12) Boundary realig			_						
12.1) What are the	current and p Curre		s for e	ach lot comp	orising	•	Propos	sed lot	
Lot on plan descript		Area (m²)			Lot on plan description			· · · · · · · · · · · · · · · · · · ·	
40.0\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\				10					
12.2) What is the re	eason for the	boundary reali	gnme	nt?					
13) What are the di (attach schedule if there			exist	ting easeme	nts bei	ng changed and	d/or ar	ny proposed easement	
Existing or	Width (m)	Length (m)		oose of the e	aseme	ent? (e.g.		ntify the land/lot(s)	
proposed?			peae	strian access)			benefitted by the		
Division 3 – Operati	onal work		•				•		
Vote : This division is only r	equired to be co			development a	pplicatio	on involves operatio	nal won	k.	
14.1) What is the na	ature of the o	perational wor		mwater		☐ Water in	nfraetr	ucture	
☐ Drainage work			_					structure	
Landscaping] Signage ☐ Clearinǫ		g vege	tation			
Other – please s	specify:								
14.2) Is the operation	onal work ned	cessary to facil	itate t	he creation o	of new	lots? (e.g. subdiv	ision)		
Yes – specify nu	ımber of new	lots:							
No 14.3) What is the m	opotory volu	o of the proper	end or	porational wo	rk? (in	oludo CCT motorio	lo ond l	a bauri	
\$	onetally value	e or the propos	seu op	cialional wo	/IK: (III	ciude GST, materia	is allu l	abour)	
		T. 1.4.1.1.4.0.1							
PART 4 – ASSE	ESSMEN	I MANAGI	EKI	JE I AILS					
15) Identify the ass	essment mar	nager(s) who w	ill be	assessing th	is dev	elopment applic	ation		
Mareeba Shire Cou									
							develo	pment application?	
Yes – a copy of the decision notice is attached to this development application Local government is taken to have agreed to the superseded planning scheme request – relevant documents									
attached ⊠ No									

PART 5 - REFERRAL DETAILS

17) Do any aspects of the proposed development require referral for any referral requirements? Note: A development application will require referral if prescribed by the Planning Regulation 2017.
☐ No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6
Matters requiring referral to the Chief Executive of the Planning Regulation 2017:
☑ Clearing native vegetation
Contaminated land (unexploded ordnance)
Environmentally relevant activities (ERA) (only if the ERA have not been devolved to a local government)
Fisheries – aquaculture
Fisheries – declared fish habitat area
Fisheries – marine plants
Fisheries – waterway barrier works
☐ Hazardous chemical facilities ☐ Queensland heritage place (on or near a Queensland heritage place)
☐ Infrastructure – designated premises
☐ Infrastructure – state transport infrastructure
☐ Infrastructure – state transport corridors and future state transport corridors
☐ Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels
☐ Infrastructure – near a state-controlled road intersection
☐ On Brisbane core port land near a State transport corridor or future State transport corridor
☐ On Brisbane core port land – ERA
On Brisbane core port land – tidal works or work in a coastal management district
On Brisbane core port land – hazardous chemical facility
On Brisbane core port land – taking or interfering with water
On Brisbane core port land – referable dams
☐ On Brisbane core port land - fisheries ☐ Land within Port of Brisbane's port limits
SEQ development area
☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and
recreation activity
SEQ regional landscape and rural production area or SEQ rural living area – community activity
SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
SEQ regional landscape and rural production area or SEQ rural living area – urban activity
SEQ regional landscape and rural production area or SEQ rural living area – combined use
☐ Tidal works or works in a coastal management district
☐ Reconfiguring a lot in a coastal management district or for a canal ☐ Erosion prone area in a coastal management district
Urban design
☐ Water-related development – taking or interfering with water
☐ Water-related development – removing quarry material (from a watercourse or lake)
☐ Water-related development – referable dams
☐ Water-related development – construction of new levees or modification of existing levees (category 3 levees only)
☐ Wetland protection area
Matters requiring referral to the local government:
☐ Airport land
Environmentally relevant activities (ERA) (only if the ERA have been devolved to local government)
☐ Local heritage places

Matters requiring referral to the € ⊠ Electricity infrastructure	hief executive of the distribution er	ntity or transmission entity:				
Matters requiring referral to:						
The Chief executive of the holder of the licence, if not an individual						
	f the holder of the licence is an individ					
☐ Oil and gas infrastructure						
Matters requiring referral to the I Brisbane core port land	Brisbane City Council:					
	flinister under the <i>Transport Infrast</i> Insistent with Brisbane port LUP for tra					
Matters requiring referral to the r ☐ Land within Port of Brisbane's	elevant port operator: s port limits (below high-water mark)					
Matters requiring referral to the C Land within limits of another p	Chief Executive of the relevant port port (below high-water mark)	authority:				
	Gold Coast Waterways Authority: stal management district in Gold Coast	t waters				
Matters requiring referral to the	Queensland Fire and Emergency Se	rvice:				
☐ Tidal works marina (more tha	n six vessel berths)					
,	,					
18) Has any referral agency prov	rided a referral response for this devel	opment application?				
☐ Yes – referral response(s) red ☐ No	ceived and listed below are attached to	this development application				
Referral requirement	Referral agency	Date of referral response				
Identify and describe any change	es made to the proposed development	t application that was the subject of the				
	pment application the subject of this for	orm, or include details in a schedule to this				
PART 6 - INFORMATIO	N REQUEST					
19) Information request under Pa						
	ion request if determined necessary fo	· · · · · · · · · · · · · · · · · · ·				
I do not agree to accept an information request for this development application						
Note: By not agreeing to accept an information request I, the applicant, acknowledge: • that this development application will be assessed and decided based on the information provided when making this development application						
and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to						

accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties

• Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.

Further advice about information requests is contained in the <u>DA Forms Guide</u>.

PART 7 - FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
Yes – provide details below or include details in a schedule to this development application			
⊠ No			
List of approval/development application references	Reference number	Date	Assessment manager
Approval Development application			
Approval Development application			
	1		
21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)			
☐ Yes – a copy of the receipted QLeave form is attached to this development application			
☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the			
assessment manager decides the development application. I acknowledge that the assessment manager may give			
a development approval only if I provide evidence that the portable long service leave levy has been paid Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)			
Amount paid	Date paid (dd/mm/yy)	QLeave levy number	
\$	Date paid (dd/iiiii/yy)	QLeave levy number	
Φ			
22) Is this development application in response to a show cause notice or required as a result of an enforcement notice? ☐ Yes – show cause or enforcement notice is attached ☐ No			
23) Further legislative requirements			
Environmentally relevant activities			
23.1) Is this development application also taken to be an application for an environmental authority for an Environmentally Relevant Activity (ERA) under section 115 of the <i>Environmental Protection Act 1994</i> ?			
 Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below No Note: Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at www.qld.gov.au. An ERA 			
requires an environmental authority to operate. See www.gia.gov.au , All ElsA requires an environmental authority to operate. See www.business.qld.gov.au for further information.			
Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			
Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.			
Hazardous chemical facilities			
23.2) Is this development application for a hazardous chemical facility?			
Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development			
application			
No Note: See www.business.gld.gov.au for further information about hazardous chemical notifications.			
Clearing native vegetation			

23.3) Does this development application involve clearing native vegetation that requires written confirmation that the chief executive of the <i>Vegetation Management Act 1999</i> is satisfied the clearing is for a relevant purpose under section 22A of the <i>Vegetation Management Act 1999</i> ?
 ✓ Yes – this development application includes written confirmation from the chief executive of the <i>Vegetation Management Act 1999</i> (s22A determination) ✓ No
Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development. 2. See https://www.qld.gov.au/environment/land/vegetation/applying for further information on how to obtain a s22A determination.
Environmental offsets
23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a prescribed environmental matter under the <i>Environmental Offsets Act 2014</i> ?
☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter ☐ No
Note: The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.
Koala conservation
23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work within an assessable development area under Schedule 10, Part 10 of the Planning Regulation 2017?
Yes
No Note: See guidance materials at www.des.gld.gov.au for further information.
Water resources
23.6) Does this development application involve taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the <i>Water Act 2000</i> ?
☐ Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the <i>Water Act 2000</i> may be required prior to commencing development ☐ No
Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au for further information.
DA templates are available from https://planning.dsdmip.qld.gov.au/ . If the development application involves:
 Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1 Taking or interfering with water in a watercourse, lake or spring: complete DA Form1 Template 2 Taking overland flow water: complete DA Form 1 Template 3.
Waterway barrier works 23.7) Does this application involve waterway barrier works?
☐ Yes – the relevant template is completed and attached to this development application ☐ No
DA templates are available from https://planning.dsdmip.qld.gov.au/ . For a development application involving waterway barrier works, complete DA Form 1 Template 4.
Marine activities
23.8) Does this development application involve aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants?
☐ Yes – an associated <i>resource</i> allocation authority is attached to this development application, if required under the <i>Fisheries Act 1994</i>
No Note: See guidance materials at www.daf.qld.gov.au for further information.
Quarry materials from a watercourse or lake

23.9) Does this development application involve the **removal of quarry materials from a watercourse or lake** under the *Water Act 2000?*

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development ☐ No
Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.gld.gov.au and www.business.gld.gov.au for further information.
Quarry materials from land under tidal waters
23.10) Does this development application involve the removal of quarry materials from land under tidal water under the <i>Coastal Protection and Management Act 1995?</i>
☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development ☐ No
Note : Contact the Department of Environment and Science at www.des.gld.gov.au for further information.
Referable dams
23.11) Does this development application involve a referable dam required to be failure impact assessed under section 343 of the <i>Water Supply (Safety and Reliability) Act 2008</i> (the Water Supply Act)?
☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the Water Supply Act is attached to this development application
No Note: See guidance materials at www.dnrme.gld.gov.au for further information.
Tidal work or development within a coastal management district
23.12) Does this development application involve tidal work or development in a coastal management district?
☐ Yes – the following is included with this development application:
 □ Evidence the proposal meets the code for assessable development that is prescribed tidal work (only required if application involves prescribed tidal work) □ A certificate of title
⊠ No
Note: See guidance materials at <u>www.des.qld.gov.au</u> for further information.
Queensland and local heritage places
23.13) Does this development application propose development on or adjoining a place entered in the Queensland heritage register or on a place entered in a local government's Local Heritage Register ?
☐ Yes – details of the heritage place are provided in the table below
No No
Note: See guidance materials at www.des.qld.gov.au for information requirements regarding development of Queensland heritage places. Name of the heritage place: Place ID:
Brothels 23.14) Does this development application involve a material change of use for a brothel?
Yes – this development application demonstrates how the proposal meets the code for a development
application for a brothel under Schedule 3 of the <i>Prostitution Regulation 2014</i> ⊠ No
Decision under section 62 of the Transport Infrastructure Act 1994
23.15) Does this development application involve new or changed access to a state-controlled road?
Yes - this application will be taken to be an application for a decision under section 62 of the <i>Transport Infrastructure Act 1994</i> (subject to the conditions in section 75 of the <i>Transport Infrastructure Act 1994</i> being satisfied)
□ No

PART 8 - CHECKLIST AND APPLICANT DECLARATION

04) D	and the Constitution				
	application checklist				
	ne assessment manager in question 15 a	ind all relevant referral	⊠ Yes		
requirement(s) in Note: See the Plannin	question 17 ng Regulation 2017 for referral requirements		<u> </u>		
	associated with the proposed developme	ent Parts 4 to 6 of DA Form 2 –	☐ Yes		
	ails have been completed and attached to		Not applicable		
	ation addressing any applicable assessn		□ Not applicable		
development appl		nent benchmarks is with			
Note: This is a manda	tory requirement and includes any relevant templa		⊠ Yes		
	orts required by the relevant categorising instrumer ing Policy, State Development Assessment Provisi		_		
Forms Guide: Plannin		5/16/17 6/14/1/16/1/1/14/16/1/1/16/1/1/16/1/1/16/1/1/16/1/1/16/1			
	the development are attached to this de-				
	are required to be submitted for all aspects of this o	development application. For further	⊠ Yes		
-	orms Guide: Relevant plans.	naid assuill be naid before a	□ v		
	service leave levy for QLeave has been nit is issued (see 21))	paid, or will be paid before a			
development pen	THE 15 155464 (500 21))				
25) Applicant dec	loration				
			t application is two and		
⊠ By making this correct	development application, I declare that	all information in this developmen	t application is true and		
	all address is provided in Part 1 of this for	m. I consent to receive future ele	ctronic communications		
Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is					
·	tted pursuant to sections 11 and 12 of the		1		
	intentionally provide false or misleading information				
Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers					
which may be engaged by those entities) while processing, assessing and deciding the development application.					
All information relating to this development application may be available for inspection and purchase, and/or					
published on the assessment manager's and/or referral agency's website. Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i> , Planning Regulation 2017					
and the DA Rules		related to the Planning Act 2016, I	Planning Regulation 2017		
	•	oout public access to documents	contained in the <i>Planning</i>		
 such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the Planning Regulation 2017, and the access rules made under the <i>Planning Act 2016</i> and Planning Regulation 2017; or 					
•	her legislation (including the <i>Right to Info</i>	rmation Act 2009); or			
otherwise requ	•				
This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002.</i>					
Fubilic Records At	GL 2002.				
	R OFFICE USE ONLY				
AINI 9 - FOR	VOLUGE ONLT				
Data received:	Defenses	or(o):			
Date received:	Reference numb	er(s):			
Notification of eng	gagement of alternative assessment man	ager			
Prescribed assess	sment manager				
Name of chosen assessment manager					
Date chosen assessment manager engaged					
	of chosen assessment manager				
Somaot number c	anoson assessment manager				

Relevant licence number(s) of chosen assessment manager	
QLeave notification and payment Note: For completion by assessment manager if applicable	
Description of the work	
QLeave project number	
Amount paid (\$)	
Date paid	
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

Company owner's consent to the making of a development application under the *Planning Act 2016*

I, KATHLEEN ANN CO		[Insert name in full.]
		[msen name in luii.]
Director of the company mentioned be	elow.	*
and I, JOHN WILLIAM	*CO LLESS	
COMP COLLUMN		[Insert name in full.
	[Insert position in full—i.e. anoti	her director, or a company secretary.]
Of Kathleen Colless Pty Ltd (ACN: 09	7 377 270)	*
he company being the owner of the pre		and 3 on SP223151)
5270 and 5270 Manigan Fighway, 500	24.00go,oun,oo, (2000 2 0	:
consent to the making of a developmen	nt application under the <i>Planning</i>	g Act 2016 by:
Martin Anton	a =	

The Planning Act 2016 is administered by the Department of Local Government, Infrastructure and Planning, Queensland Government.

on the premises described above for:

A Material Change of Use for High Impact Industry (Concrete Recycling Yard)

Company seal [if used]

Company Name and ACN: Kathleen Colless Pty Ltd (ACN: 097 377 270)

Hattlem ex Callers
Signature of Director

13-6-2019.

Signature of Director/Secretary

13 ~ 6 ~ 2019

Date

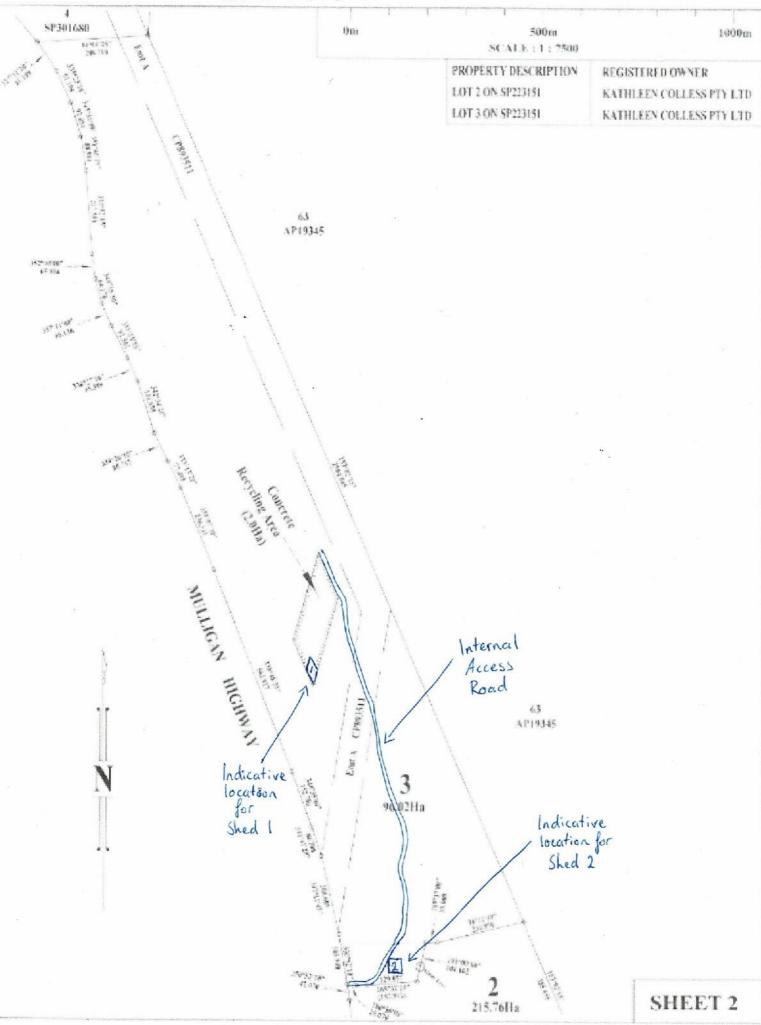
ATTACHMENT 2:

SITE PLAN



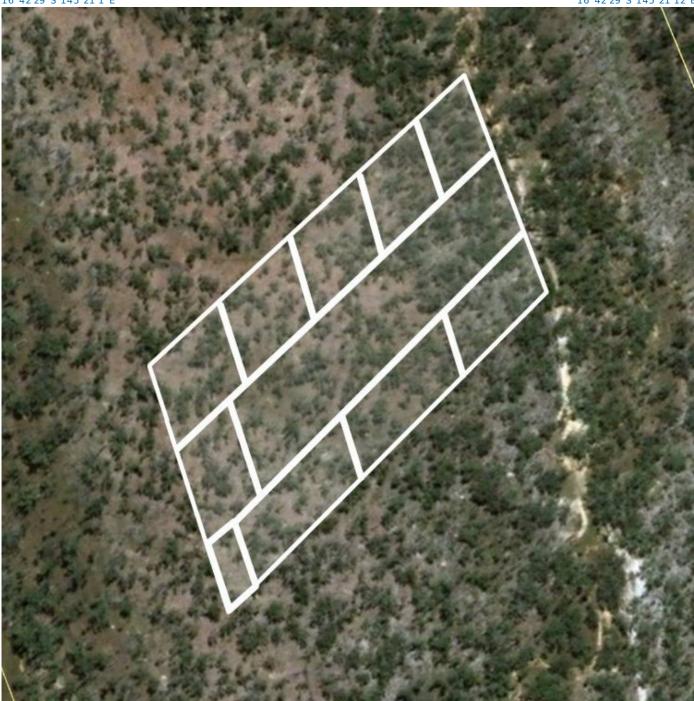
28

Site Plan



Indicative Site Layout Plan

16°42'29"S 145°21'1"E 16°42'29"S 145°21'12"E



16°42'39"S 145°21'1"E 16°42'39"S 145°21'12"E







50 metres

Print Date: 18/6/2019 Paper Size: A4

Imagery

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Indicative Site Layout Plan



Legend

9

Attribution

Road Crossing

- Bridge
- Tunnel

Road

Highway

— Main

Local

— Private

Railway

-

Natural parcel boundary

Land parcel

Parcel

Volumetric parcel

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ATTACHMENT 3:

SITE SEARCHES



29

LAND TITLE ACT 1994

REGISTRATION CONFIRMATION STATEMENT

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Title Reference : 51158786

This is the current status of the title as at 09:04 on 12/09/2018

REGISTERED OWNER

Dealing No: 718975677 07/09/2018

KATHLEEN COLLESS PTY LTD A.C.N. 097 377 270

TRUSTEE

UNDER INSTRUMENT 710106457

ESTATE AND LAND

Estate in Fee Simple.

LOT 2

SURVEY PLAN 223151 Local Government: MAREEBA

EASEMENTS, ENCUMBRANCES AND INTERESTS

- Rights and interests reserved to the Crown by Deed of Grant No. 40073506 (Lot 427 on SP 287159)
- PROFIT A PRENDRE No 718656930 27/03/2018 at 10:07
 THE STATE OF QUEENSLAND
 (REPRESENTED BY DEPARTMENT OF AGRICULTURE AND FISHERIES)
- 3. EASEMENT No 718975897 07/09/2018 at 11:37 burdening the land to LOT 3 ON SP223151 OVER EASEMENT F ON SP223151

ADMINISTRATIVE ADVICES

Dealing Type

713713290 VEG NOTICE

Lodgement Date Status

14/02/2011 13:55 CURRENT

VEGETATION MANAGEMENT ACT 1999

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

DEALINGS REGISTERED

718975897 EASEMENT

Caution - Charges do not necessarily appear in order of priority

** End of Confirmation Statement **

EV Dann

Registrar of Titles and Registrar of Water Allocations

REGISTRATION CONFIRMATION STATEMENT

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Title Reference : 51158787

This is the current status of the title as at 09:04 on 12/09/2018

REGISTERED OWNER

Dealing No: 718975677 07/09/2018

KATHLEEN COLLESS PTY LTD A.C.N. 097 377 270

TRUSTEE

UNDER INSTRUMENT 710106457

ESTATE AND LAND

Estate in Fee Simple

LOT 3 SURVEY PLAN 223151

Local Government: MAREEBA

EASEMENTS, ENCUMBRANCES AND INTERESTS

- Rights and interests reserved to the Crown by Deed of Grant No. 40073506 (Lot 427 on SP 287159)
- 2. RESUMPTION EASEMENT No 701690380 03/12/1996 at 14:27 burdening the land to THE FAR NORTH QUEENSLAND ELECTRICITY CORPORATION over EASEMENT A ON CP893511
- 3. PROFIT A PRENDRE No 718656930 27/03/2018 at 10:07 THE STATE OF QUEENSLAND (REPRESENTED BY DEPARTMENT OF AGRICULTURE AND FISHERIES)
- 4. EASEMENT No 718975897 07/09/2018 at 11:37 benefiting the land over EASEMENT F ON SP223151

ADMINISTRATIVE ADVICES

Dealing Type 713713290 VEG NOTICE

Lodgement Date Status 14/02/2011 13:55 CURRENT

VEGETATION MANAGEMENT ACT 1999

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

DEALINGS REGISTERED 718975897 EASEMENT

930 V	1 REGISTERED Recorded Date 27/03/2018 10:07 P	age 1 of 13	CONTRACTOR OF THE STATE OF THE		to a real contract of the cont
100	ENSLAND TITLES REGISTRY	PROFIT A	A PRENDRE		FORM 29 Version Page 1 of 1
RN 1.	27/03/2		Client No: 26 L Transaction No: 2 Duty Paid \$	Signed: Signed: Siloned: Siloned:	Duties Act 2001 Separate Supplement Supplem
2.	Description of Profit A Prendre/Lot on Plan burdened Lot 427 on SP287159		4		Title Reference
	Description of Lot on Plan benefited (if applicable) N/A				N/A
3.	Grantee Given names	Surname/Compar	ny name and number		ancy if more than one and it fee simple)
		(REPRESENT	OF QUEENSLAND TED BY DEPARTMENT OF TE AND FISHERIES)	N/A	
4.	Purpose	5.	Termination date or Oc	currence	
	FOREST CONSENT AGREEMENT IN ACCORDANCE WITH SECTION 61JA FORESTRY ACT 1959	GI	N RELEASE OF THIS PRO RANTEE IN ACCORDANCE DRESTRY ACT 1959		
6.	Consideration				
_	\$1				
7.	Grant/Execution Grantor grants to the Grantee for the abo				

Grantor and Grantee covenant with each other in terms of:- *the attached schedule.

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994 Kathleen Colless Ptylta ACN 097377270 9 M: 82290 JP (Qua. Witnessing Officer 613/18 Grantor's Signature **Execution Date** (Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec) Company Director The State of Queensland (Represented By Department of Agriculture and Fisheries) by: Ross M./Iv Name of delegated officer: Position of delegated officer: full name 16,3,200 qualification Witnessing Offi **Execution Date** Grantee's Signature (Witnessing officer must be of Land Title Act 1994 eg Let

JP, C Dec)

FORM 20 Version 2 Page 2 of 13

Title Reference [51095153]

Forest Consent Agreement / Profit à Prendre Forest Consent Area 2014/005367 (Sketch Plan Version A.3, January 2017)

1. Definitions, interpretation and effect as Forest Consent Agreement under the Act

1.1 Definitions

In this agreement:

Act means the Forestry Act 1959.

Business Day means a day that is not a Saturday, Sunday or a public holiday in Brisbane.

Commencement Date means the date this agreement is Registered.

Contact means the contact person for each party specified in clause 7.2.

Department means the Queensland Government agency responsible under the Act for Forest Consent Areas, which at the Commencement Date is the Department of Agriculture and Fisheries, and is representing the State of Queensland, which is the initial Grantee specified in Item 3 of the Form 29 for this agreement.

Expiry Date means the date on which the Department removes or releases the Registered profit a prendre for this agreement, from the Land Registry.

Forest Products means forest products as defined in the Act which consist (only) of all vegetable growth and material of vegetable origin whether living or dead and whether standing or fallen, contained in plants of every size and every life stage, including seedlings, saplings and trees, of the commercial timber species specified in Annexure A of this agreement. To remove any doubt, Forest Products does not include grasses (indigenous or introduced) or crops grown by the Grantor on the Forest Consent Area.

Forest Consent Area has the same meaning as in the Act, and for this agreement is the area/s shown as Forest Consent Area A,B,C and D on the sketch plan attached as Annexure B, known as Forest Consent Area 2014/005367.

Get has the same meaning as in the Act.

Grantee means:

- (a) the party specified in Item 3 of the Form 29;
- (b) the successors in title and assignees of the party stated in (a); and
- (c) where the context permits, the Representatives of a party stated in (a) or (b).

Grantor means the owner or lessee, from time to time, of the Land, being the Grantor identified in item 1 of the Form 29 for this agreement and the grantor's successors in title.

GST means a goods and services tax or any similar tax, levy or impost imposed by the Commonwealth of Australia.

GST Law means A New Tax System (Goods and Services Tax) Act 1999 (Cth).

Land means all the land stated in Item 2 of the Form 29 for this agreement.

Land Registry means a land register under the *Land Act 1994*, or the freehold land register under the *Land Title Act 1994*, whichever applies.

Operational Harvesting Plan means the specific plan prepared and/or approved by the Department, in consultation with the Grantor, the Permittee and other parties as appropriate, to account for the particular requirements of the Forest Consent Area, the Land and the Grantor, and the code of practice to be applied to the harvesting of the Forest Products.

Permit means a sales permit to Get Forest Products granted by the Department under the Act.

Permittee means the holder of a Permit, and where the context permits, includes the Representatives of the Permittee.

Register means to register this agreement as a profit a prendre in the appropriate register in the Land Registry under the Land Act 1994 or the Land Title Act 1994, whichever applies from time to time.

Representative means an employee, agent, officer, director, contractor, contractor or other authorised representative of a party (or of the Permittee), as the context requires.

1 3 MAR 2018

FOREST PRODUCTS -DAFF ROCKHAMPTON

FORM 20 Version 2 Page 3 of 13

Title Reference [51095153]

Restricted Matter means:

- (a) prohibited matter under the Biosecurity Act 2014 (Qld); or
- (b) restricted matter under the Biosecurity Act 2014 (Qld); or
- (c) a pest declared under a local law by the local government for the Land to be a pest because the pest is causing, or has the potential to cause, an adverse environmental, economic or social impact in all or part of the local government area.

Term means the period commencing on the Commencement Date and ending on the Expiry Date.

1.2 Interpretation

In this agreement:

- (a) headings are for convenience only and do not affect interpretation,
- and unless the context indicates a contrary intention:
- (b) if more than one person is identified as the Grantor, then that expression refers to them, and the obligations of the Grantor under this agreement bind them, jointly and severally;
- person includes an individual, the estate of an individual, a corporation, an authority, an association or a joint venture (where incorporated), a partnership and a trust;
- (d) a reference to a party includes that party's executors, administrators, successors and permitted assigns, including persons taking by way of novation and, in the case of a trustee, includes a substituted or an additional trustee;
- (e) a reference to a document (including this agreement) is to that document as varied, novated, ratified or replaced from time to time;
- a reference to a statute includes its delegated legislation and a reference to a statute or delegated legislation or a provision of either includes consolidations, amendments, re-enactments and replacements;
- a word importing the singular includes the plural (and vice versa), and a word indicating a gender includes every other gender;
- (h) a reference to a party, clause, schedule, attachment or annexure is a reference to a party, clause, schedule, attachment or annexure to or of this agreement, and a reference to this agreement includes all schedules, attachments and annexures to it;
- if a word or phrase is given a defined meaning, any other part of speech or grammatical form of that word or phrase has a corresponding meaning;
- (j) includes in any form is not a word of limitation;
- (k) a reference to \$ or dollar is to Australian currency; and
- (i) no rule of construction will apply to a provision of this agreement to the disadvantage of a party merely because that party drafted the provision or would otherwise benefit from it.

1.3. Effect as Forest Consent Agreement under the Act

1.3.1 Agreement under s 61JA of the Act

- (a) The parties acknowledge that:
 - this is a Forest Consent Agreement in relation to the use and management of, including access to, Forest Products on the Forest Consent Area that are the absolute property of the State;
 - (ii) the Act applies in respect of the Forest Consent Area and the Land;
 - (iii) subject to the terms of this agreement, this agreement does not in any way restrict or limit the rights and powers of the State of Queensland under the Act; and
- (b) The Grantor acknowledges a failure to comply with a condition of this agreement constitutes an offence under the Act (section 60).

FORM 20 Version 2 Page 4 of 13

Title Reference [51095153]

1.3.2 Ownership of Forest Products

- (a) The Grantor acknowledges that, under the Act:
 - the State of Queensland owns the Forest Products on the Forest Consent Area at all times (section 45(1)(ea));
 - the chief executive of the Department is responsible for the administration and management of the Forest Products on the Forest Consent Area (section 39A); and
 - (iii) interference with Forest Products on the Forest Consent Area, other than under the authority of:
 - (A) an Act or law; or
 - (B) a permit, lease, licence or agreement granted or made under the Act, is an offence under the Act (section 53A).
- (b) The parties acknowledge that on the issuance of a deed of grant for the Land following a successful conversion application under section 166 of the Land Act 1994 all forest products (as defined in the Act) on the Land which:
 - (i) are not Forest Products (as defined in clause 1.1); but
 - (ii) are the absolute property of the State; and
 - (iii) have not been reserved to the State in the deed of grant, become the absolute property of the Grantor.

1.3.3 Access to Forest Consent Area

The Grantor acknowledges that, under the Act:

- the chief executive of the Department and its (authorised) Representatives may enter and traverse the Land for the purpose of accessing the Forest Consent Area to perform functions under the Act (sections 48 and 61JA(2));
- (b) the chief executive of the Department may from time to time, cause to be Got Forest Products on the Forest Consent Area and grant Permits to Permittees to Get Forest Products on the Forest Consent Area (sections 46 and 56);
- (c) Permittees may enter and traverse the Land, including with vehicles, plant and equipment, to access the Forest Consent Area for purposes authorised under the Act and the Permit (sections 46 and 57); and
- (d) the chief executive of the Department may, despite paragraphs (a) to (c), do anything which the chief executive is so authorised in respect of forest products (as defined in the Act) which are:
 - (i) not Forest Products (as defined in clause 1.1); and
 - (ii) the absolute property of the State,even if those forest products are situated on the Land, including the Forest Consent Area.

1.3.4 Registration as profit a prendre

- (a) The parties acknowledge that this agreement will be Registered as a profit à prendre as required under section 61JB(1) of the Act.
- (b) This agreement is binding on the Grantee, the Grantor, and the Grantor's successors in title.
- (c) The profit a prendre created by this agreement exists in respect of the Land (as defined in clause 1.1) and, as such, may exist in respect of a lot that is subject to the Forest Consent Area and another lot that is or other lots that are subject to a right of access, as provided for or referred to in this agreement, to the Forest Products on the Forest Consent Area or to the Forest Consent Area generally.

2. Term and termination

2.1 Term

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This agreement commences on the Commencement Date, and remains in force until the Expiry Date.

2.2 Effect of expiry or termination under s61JB of the Act

The parties acknowledge that:

- (a) under section 61JB(4) of the Act, if this agreement stops being in force:
 - (i) the Forest Consent Area stops being a Forest Consent Area; and
 - all Forest Products on the Forest Consent Area are no longer the property of the State of Queensland, and become the property of the Grantor; and
- (b) section 61JB(5) of the Act states that if the chief executive agrees to release the profit a prendre the chief executive's agreement may be made conditional on the other party to the forest consent agreement paying the State the value of Forest Products on the Forest Consent Area as decided by the chief executive.

2.3 Survival

Clause 5 (Risk and Indemnity) survives expiration or termination of this agreement for any reason.

Grantee's rights and obligations

The Grantee

- (a) subject to clause 3(b), may enter the Land at any time (including with such vehicles, plant and equipment as are necessary) for the purposes of accessing the Forest Consent Area:
- must provide the Grantor with reasonable notice prior to entering the Land for the first time (including for planning or harvest management purposes);
- (c) must enter and depart the Land using gates and/or grids provided on the Land; however where it is necessary, the Grantee may, in consultation with the Grantor, cut a fence on the Land, in which case the fence must be repaired or a gate or grid must be installed by the Grantee promptly;
- (d) must use reasonable endeavours to ensure that the Grantee does not spread the reproductive material of Restricted Matter. If the risk of spreading Restricted Matter is likely to be reduced by the washing down of vehicles and machinery then the Department must ensure that all the Grantee's vehicles and machinery are washed down before entering the Land. For the avoidance of doubt, the Grantee is not responsible for controlling Restricted Matter on the Land that:
 - are not directly the result of the Grantee's own entry onto the Land or use of the Forest Consent Area; or
 - (ii) were present on the Land prior to the Commencement Date;
- (e) must repair any damage to any road, track or route where the damage is in excess of normal wear and tear, cultivated land, crops or other improvements on the Land where such damage is directly caused by the Grantee's entry onto the Land under this agreement;
- (f) must notify the Grantor from time to time of the name and contact details of any Permittee who is authorised to access the Forest Consent Area;
- (g) must take reasonable steps to consult with the Grantor in the preparation of any Operational Harvesting Plan for any scheduled harvesting on the Forest Consent Area;
- (h) must advise the Grantor within a reasonable time when scheduled harvesting on the Forest Consent Area has been completed; and
- may undertake any works or activities on the Forest Consent Area as required by the Grantee in its sole discretion, to properly manage the Forest Products on the Forest Consent Area.

4. Grantor's rights and obligations

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Title Reference [51095153]

The Grantor

- (a) must allow access to persons lawfully authorised (including Permittees) to enter and traverse the Land and occupy the Forest Consent Area under the Act and this agreement;
- (b) may use and occupy the Forest Consent Area, including for various types of agricultural activities, or to implement reasonable fire prevention and control measures such as a low intensity prescribed burning program or firebreaks, however, such use must not be inconsistent with the State's ownership of the Forest Products or a Permittee's right to harvest Forest Products from the Forest Consent Area;
- (c) must, as soon as practicable after becoming aware of:
 - (i) any unauthorised interference with and/or unauthorised use of Forest Products on the Forest Consent Area; or
 - (ii) the result of any damage to Forest Products or to forested areas within the Forest Consent Area following a damaging event (such as strong winds, fire, rain, hail, flooding, lightning strike, or insect attack),

use reasonable endeavours to notify the Grantee of such interference, use or damage (as the case may be);

- (d) must not Get Forest Products from the Forest Consent Area except under the authority of a Permit, or as otherwise provided for under the Act; however the Grantor is hereby authorised by the Grantee under the Act to Get Forest Products on the Forest Consent Area but only:
 - (i) to the extent required to undertake reasonable management works or activities on the Länd.
 - (ii) where these Forest Products are used by the Grantor on the Land; and
 - (iii) up to a limit of 20 cubic metres per calendar year;
- (e) may interfere with Forest Products on areas of the Forest Consent Area that are:
 - (i) not mapped as Çategory B (remnant vegetation) areas under the Vegetation Management Act 1999 on the Regulated Vegetation Management Map, but only to the extent authorised under the Vegetation Management Act 1999 and its associated self-assessable codes; and
 - (ii) mapped as Category B (remnant vegetation) areas under the Vegetation Management Act 1999 on the Regulated Vegetation Management Map, but only subject to, and in compliance with an agreement under section 39A(2)(c) of the Act;
- acknowledges that as a result of activities under a Permit, stumps and other harvesting residue may remain in situ on the Forest Consent Area; and
- (g) must not, without the prior written consent of the Grantee, or unless required by law, enter into any agreement or any arrangements, including but not limited to agreements or arrangements relating to nature conservation, nature refuge, environmental offsets, carbon abatement, carbon farming, access, mining or coal seam gas, in regard to the Forest Consent Area for purposes contrary to the lawful use of the Forest Consent Area under the Act.

5. Risk and indemnity

5.1 Grantee's Indemnity

- (a) The Grantee indemnifies the Grantor against all liability, loss, costs and expenses (including legal fees, costs and disbursements on a solicitor and own client basis) arising from or incurred in connection with
 - any unlawful, wilful or negligent act or omission of the Grantee or any person for whose conduct the Grantee is liable; or
 - (ii) personal injury (including sickness and death) or property damage or loss in connection with the use of the Land by the Grantee.
- (b) The Grantee's liability to indemnify the Grantor under clause 5.1(a) will be reduced proportionally to the extent that any unlawful, wilful or negligent act or omission or breach of this agreement by the Grantor caused the loss, damage or liability.

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- (c) To the full extent permitted by law, the Grantee will not be liable to the Grantor for any special. Indirect or consequential damages, including consequential financial loss.
- (d) To remove doubt, the parties agree that the indemnity provided in this clause extends to any claim arising from the use of any area of the Land by the Grantee in performing the Grantee's obligation to control or eradicate Restricted Matter under this agreement.
- (e) The indemnity granted in clause 5.1(a) is in addition to and not exclusive of any other remedies the Grantor may have at law.
- (f) It is not necessary for the Grantor to incur expense or to make a payment before enforcing a right of indemnity conferred by this agreement.

5.2 Grantor to pay costs in respect of injunction

If the Grantee obtains injunctive relief against the Grantor in respect of a breach of this agreement by the Grantor, the Grantor must pay the Grantee the Grantee's costs of obtaining such relief on an indemnity basis.

6 Dispute resolution

6.1 Dispute resolution process

- (a) Subject to clause 6.3, the parties must adhere to the following procedure in relation to disputes arising from this agreement prior to the commencement of litigation or other external dispute resolution procedure
- (b) The Contact for a party may notify the other in writing of the occurrence of a dispute (Dispute Notice) and the Contacts will try to resolve the dispute through negotiation.
- (c) If the Contacts are unable to resolve the dispute within 15 Business Days from the receipt of the Dispute Notice, the dispute will be referred to:
 - (i) for the Grantor, the person holding the position of Chief Executive Officer (or equivalent); and
 - (ii) for the Grantee, the person holding the position of Chief Executive Officer (or equivalent), for resolution.
- (d) If the dispute is not resolved within 15 Business Days after its referral to the representatives of each of the parties listed in clause 6.1(c), either party may refer the dispute to a mediator agreed by the parties with costs to be shared equally between the parties.
- (e) If the parties cannot agree upon a mediator, either party may request the President of the Queensland Law Society to nominate a mediator and the terms of mediation.

6.2 Continuity during dispute

Notwithstanding the existence of a dispute, each party must continue to perform its obligations under this agreement.

6.3 Urgent interlocutory relief

Nothing in this clause prevents either party from commencing court proceedings relating to any dispute arising from this agreement at any time where that party seeks urgent interlocutory relief.

7. Notices and Contacts

7.1 Notices

Each communication (including each notice, consent, approval, request and demand) in connection with this agreement to be given by either party to the other:

- (a) must be in writing;
- (b) must be signed by the party making it (or by a person duly authorised by that party);

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- (c) must be addressed in accordance with clause 7.2 (or as otherwise notified from time to time);
- (d) must be delivered by hand or posted by pre-paid post to that address, or sent by facsimile transmission to the number of the addressee, in accordance with clause 7.2; and
- (e) is taken to have been received by the addressee:
 - (i) where sent by pre-paid post on the fifth day after the date of posting;
 - (ii) where sent by facsimile transmission at the time in the place to which it is sent equivalent to the time recorded on the transmitting machine from which it was sent;
 - (iii) where hand delivered on delivery,

but if the communication is taken to have been received on a day that is not a Business Day or later than 5.00 pm·on a Business Day, the communication is taken to have been received at 9.00 am on the next Business Day.

7.2 Contacts

Grantor:

Party Name:

KATHLEEN COLLESS PTY LTD A.C.N. 097 377 270

TRUSTEE UNDER INSTRUMENT 710106457

ABN/ACN:

81 268 135 876/097 377 270

Street Address:

421 Wetherby Road Mount Molloy QLD 4871

Contact Name:

Mr John COLLESS & Mrs Kathleen COLLESS

Contact Postal Address:

PO Box 14, Mount Molloy QLD 4871

Contact Telephone:

07 4094 1125 Mobile 0408 687 313

Contact Facsimile:

NA

Contact Email(not to be used for giving notices under clause 7.1):

john@wetherbystation.com

Grantee:

Party Name:

The State of Queensland (Represented By Department of Agriculture and

Fisheries)

ARN

ABN 66 934 348 189

Street Address:

25 Yeppoon Road, Parkhurst QLD 4701

Contact Name:

The Manager Timber Production

Contact Postal Address:

PO Box 6014, Red Hill Rockhampton QLD 4702

Contact Telephone:

(07) 4843 2650

Contact Facsimile:

(07) 4924 2055

Contact Email (not to be used for giving notices under clause 7.1):

fp.northfma@daf.qld.gov.au

8 General

8.1 Entire agreement

To the extent permitted by law, in relation to its subject matter, this agreement:

 embodies the entire understanding of the parties and constitutes the entire terms agreed by the parties; and

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(b) supersedes any prior written or other agreement of the parties.

8.2 Costs

- (a) Subject to clause 8.2(b), each party must pay its own costs and expenses in connection with negotiating, preparing, executing and performing its obligations under this agreement.
- (b) In respect of the grant of this profit a prendre and any subsequent variation to it, the Grantor must pay:
 - the costs and expenses of and incidental to preparing any survey required to Register or re-Register it;
 - (ii) any stamp duty payable on it;
 - (iii) Registration fees; and
 - (iv) release or removal (from Land Registry) fees.

8.3 No relationship

Nothing contained in this agreement will be taken as giving rise to any employment, agency, partnership or joint venture relationship between the parties.

8.4 Amendments

This agreement may only be varied by a Registered document signed by or on behalf of each party.

8.5 Further acts and documents

Each party must promptly do all acts and deliver all documents (in form and content reasonably satisfactory to that party) required by law or reasonably requested by the other party to give effect to this agreement.

8.6 Waiver

- (a) Failure to exercise or enforce, or a celay in exercising or enforcing, or the partial exercise or enforcement of, a right, power or remedy provided by law or under this agreement by a party does not preclude, or operate as a waiver of, the exercise or enforcement, or further exercise or enforcement, of that or any other right, power or remedy provided by law or under this agreement.
- (b) A waiver or consent given by a party under this agreement is only effective and binding on that party if it is given or confirmed in writing by that party.
- (c) No waiver of a breach of a term of this agreement operates as a waiver of another breach of that term or any other term of this agreement.

8.7 Severance

If at any time a provision of this agreement is or becomes illegal, invalid or unenforceable in any respect under the law of any jurisdiction, that will not affect or impair:

- (a) the legality, validity or enforceability in that jurisdiction of any other provision of this agreement; or
- (b) the legality, validity or enforceability under the law of any other jurisdiction of that or any provision of this agreement.

8.8 Governing law

This agreement is governed by and will be construed according to the law applying in Queensland.

8.9 Jurisdiction

Each party irrevocably:

submits to the non-exclusive jurisdiction of the courts of Queensland, and the courts competent to
determine appeals from those courts, with respect to any proceedings that may be brought at any time
relating to this agreement; and

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(b) waives any objection it may now or in the future have to the venue of any proceedings, and any claim it may now or in the future have that any proceedings have been brought in an inconvenient forum, if that venue falls within clause 8.9(a)

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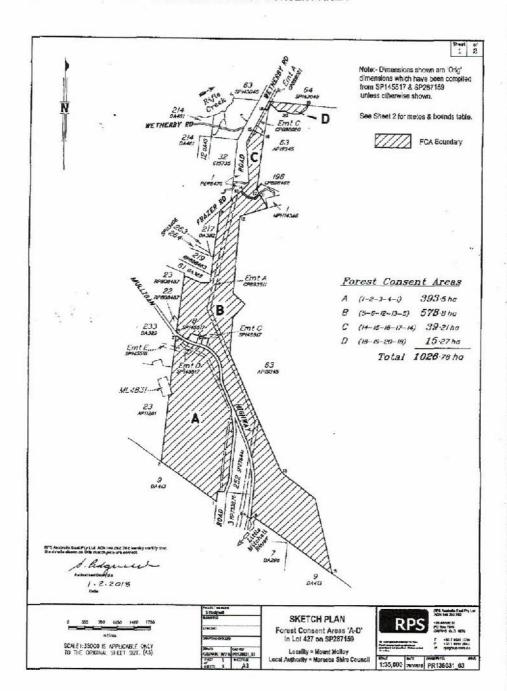
ANNEXURE A – COMMERCIAL TIMBER SPECIES (FOREST PRODUCTS) FOR THE FOREST CONSENT AREA

Trade Name	Botanical Name/s (Note these names are subject to taxonomical review)		
Ironbark	Eucalyptus fibrosa subsp. nubila, E. fibrosa subsp. fibrosa, E. caleyi, E. drepanophylla, E. siderophloia, E. decorticans, E. staigeriana, E. crebra, E. sideroxylon,		
Carbeen	Corymbia confertiflora, C. tessellaris		
Tea-tree	Meialeuca leucadendra, M. linariifolia,		
Bloodwood	Corymbia trachyphloia, C. nesophila, C. terminalis, C. abergiana, C. gummifera, C. intermedia, C. polycarpa,		
Brown hazelwood	Lysicarpus angustifolius		
Cadaga	Corymbia torelliana		
Cooktown ironwood	Erythrophleum chlorostachys		
Coolibah	Eucalyptus microtheca .		
Stringybark	Eucalyptus baileyana, E. tetrodonta, E. planchoniana, E. pellita, E. resinifera, E. tenuipes, E. acmenoides, E. portuensis, E. helidonica, E. latisinensis, E. mediocris, E. carnea, E. apothalassica, E. psammitica, E. eugenioides, E. mensalis, E. reducta, E. tindaliae		
Red gum	Eucalyptus tereticornis, E. camaldulensis,		
Вох	Eucalyptus mejor, E. propinqua, E. biturbinata, E. longirostrata, E. punctata, E. populnea, E.conica, E. microcarpa, E. moluccana, E. pilligaensis, E. leptophleba, E. melliodora		
Gymple messmate	Eucalyptus cloeziana		
Lancewood	Acacia shirleyi		
Yellowjacket	Corymbia watsoniana, C. bloxsomei		
New England blackbutt	Eucalyptus andrewsii, E. campanulata,		
Northern woollybutt	Eucalyptus miniata		
Queensland peppermint	Eucalyptus exserta		
Queensland sandalwood	Santalum lanceolatum		
Rose gum	Eucalyptus grandis, E. saligna		
Rosewood	Acacia rhodoxylon		
Rough/ Smooth barked apple	Angophora floribunda, A. costata, A.leiocarpa		
Rustyjacket	Corymbia peltata,		
Spotted gum	Corymbia citriodora subsp. variegata, C. citriodora subsp. citriodora, C. maculata, C. henryi.		
Swamp mahogany	Eucalyptus robusta		
Turpentine	Syncarpie glomulifera		
White cypress pine	Callitris glaucophylla, C. intratropica		

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ANNEXURE B - SKETCH PLAN SHOWING FOREST CONSENT AREA



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Vegetation management report

For Lot: 3 Plan: SP223151

Current as at 04/06/2019



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Recent changes

New vegetation clearing laws

New vegetation management laws were passed by the Queensland Parliament on 3 May 2018 and may affect the clearing you can undertake on your property.

For more information, read about the new vegetation management laws (https://www.dnrme.qld.gov.au/land-water/initiatives/vegetation-management-laws/) or call 135VEG (13 58 34) between 8.30am and 4.30pm Monday to Friday.

Updated mapping

The Regulated Vegetation Management Map and Supporting Map was updated in March 2018 to reflect the most up to date information available in relation to regional ecosystems, essential habitat and wetland mapping (Version 10).

Overview

Based on the lot on plan details you have supplied, this report provides the following detailed information:

- Vegetation management framework an explanation of the application of the framework.
- Property details information about the specified Lot on Plan, lot size, local government area, bioregion(s), subregion(s), catchment(s), coastal or non coastal status, and any applicable area management plans associated with your property.
- Vegetation management details for the specified Lot on Plan specific information about your property including vegetation categories, regional ecosystems, watercourses, wetlands, essential habitat, and protected plants.
- Contact information.
- Maps a series of colour maps to assist in identifying regulated vegetation on your property.
- Other legislation contact information.

This information will assist you to determine your options for managing vegetation under the vegetation management framework, which may include:

- · exempt clearing work
- · accepted development vegetation clearing code
- an area management plan
- a development approval.

Other laws

The clearing of native vegetation is regulated by both Queensland and Australian legislation, and some local governments also regulate native vegetation clearing. You may need to obtain an approval or permit under another Act, such as Queensland's Protected Plants framework or the Commonwealth Government's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Section 6 of this guide provides contact details of other agencies you should confirm requirements with, before commencing vegetation clearing.

1. Vegetation management framework

The *Vegetation Management Act 1999* (VMA), the Vegetation Management Regulation 2012, the *Planning Act 2016* and the Planning Regulation 2017, in conjunction with associated policies and codes, form the Vegetation Management Framework.

The VMA does not apply to all land tenures or vegetation types. State forests, national parks, forest reserves and some tenures under the *Forestry Act 1959* and *Nature Conservation Act 1992* are not regulated by the VMA. Managing or clearing vegetation on these tenures may require approvals under these laws.

The following native vegetation is not regulated under the VMA but may require permit(s) under other laws:

- grass or non-woody herbage;
- a plant within a grassland regional ecosystem prescribed under Schedule 5 of the Vegetation Management Regulation 2012; and
- a mangrove.

1.1 Exempt clearing work

Exempt clearing work is an activity for which you do not need to notify DNRME or obtain an approval approval under the vegetation management framework. Exempt clearing work was previously known as exemptions.

In areas that are mapped as Category X (white in colour) on the regulated vegetation management map (see section 5.1), and where the land tenure is freehold, indigenous land and leasehold land for agriculture and grazing purposes, the clearing of vegetation is considered exempt clearing work and does not require notification or development approval approval under the vegetation management framework. For all other land tenures, contact DNRME before commencing clearing to ensure that the proposed activity is exempt clearing work.

A range of routine property management activities are considered exempt clearing work. A list of exempt clearing work is available at

https://www.gld.gov.au/environment/land/vegetation/exemptions/.

Exempt clearing work may be affected if the proposed clearing area is subject to development approval conditions, a covenant, an environmental offset, an exchange area, a restoration notice, or an area mapped as Category A. Contact DNRME prior to clearing in any of these areas.

1.2 Accepted development vegetation clearing codes

Some clearing activities can be undertaken under an accepted development vegetation clearing code. The codes can be downloaded at

https://www.qld.gov.au/environment/land/vegetation/codes/

If you intend to clear vegetation under an accepted development vegetation clearing code, you must notify DNRME before commencing. The information in this report will assist you to complete the online notification form.

You can complete the online form at

https://apps.dnrm.qld.gov.au/vegetation/

1.3 Area management plans

Area Management Plans (AMP) provide an alternative approval system for vegetation clearing under the vegetation management framework. They list the purposes and clearing conditions that have been approved for the areas covered by the plan. It is not necessary to use an AMP, even when an AMP applies to your property.

As a result of the new laws, AMPs for fodder harvesting, managing thickened vegetation and managing encroachment will continue for 2 years. New notifications cannot be made for these AMPs.

New notifications can be made for all other AMPs. These will continue to apply until their nominated end date.

If an area management plan applies to your property for which you can make a new notification, it will be listed in Section 2.2 of this report. Before clearing under one of these AMPs, you must first notify the DNRME and then follow the conditions and requirements listed in the AMP.

https://www.qld.gov.au/environment/land/vegetation/area-plans/

1.4 Development approvals

If under the vegetation management framework your proposed clearing is not exempt clearing work, or is not permitted under an accepted development vegetation clearing code, or an AMP, you may be able to apply for a development approval. Information on how to apply for a development approval is available at

https://www.qld.gov.au/environment/land/vegetation/applying/

2. Property details

2.1 Tenure

All of the lot, plan and tenure information associated with property Lot: 3 Plan: SP223151, including links to relevant Smart Maps, are listed in Table 1. The tenure of the property (whether it is freehold, leasehold, or other) may be viewed by clicking on the Smart Map link(s) provided.

Table 1: Lot, plan and tenure information for the property

Lot	Plan	Tenure	Link to property on SmartMap
0427	SP287159	Profit à Prendre	https://apps.information.qld.gov.au/data/cadastre/GenerateSmartMap?q=0427\SP2 87159
3	SP223151	Freehold	https://apps.information.qld.gov.au/data/cadastre/GenerateSmartMap?q=3\SP2231 51
A	CP893511	Easement	https://apps.information.qld.gov.au/data/cadastre/GenerateSmartMap?q=A\CP8935

The tenure of the land may affect whether clearing is considered exempt clearing work or may be carried out under an accepted development vegetation clearing code.

2.2 Property location

Table 2 provides a summary of the locations for property Lot: 3 Plan: SP223151, in relation to natural and administrative boundaries.

Table 2: Property location details

Local Government(s)
Mareeba Shire

Bioregion(s)	Subregion(s)	
Einasleigh Uplands	Hodgkinson Basin	
Wet Tropics	Macalister	

Catchment(s)	
Mitchell	

For the purposes of the accepted development vegetation clearing codes and the State Development Assessment Provisions (SDAP), this property is regarded as*

Coastal

^{*}See also Map 5.4

Area	Management	Plan(s	:)
Aica	management	1 14111	,,

Area Management Plan for the control of pest plants in the Dry Tropics region

3. Vegetation management details for Lot: 3 Plan: SP223151

3.1 Vegetation categories

Vegetation categories are shown on the regulated vegetation management map in section 5.1 of this report. A summary of vegetation categories on the subject lot are listed in Table 3. Descriptions for these categories are shown in Table 4.

Table 3: Vegetation categories for subject property. Total area: 93.79ha

Vegetation category	Area (ha)	
Category B	85.0	
Category C	0.0	
Category X	8.79	

Table 4

Category	Colour on Map	Description	Requirements / options under the vegetation management framework	
А	red	Compliance areas, environmental offset areas and voluntary declaration areas	Special conditions apply to Category A areas. Before clearing, contact DNRME to confirm any requirements in a Category A area.	
В	dark blue	Remnant vegetation areas	Exempt clearing work, or notification and compliance with accepted development vegetation clearing codes, area management plans or development approval.	
С	light blue	High-value regrowth areas	Exempt clearing work, or notification and compliance with managing Category C regrowth vegetation accepted development vegetation clearing code.	
R	yellow	Regrowth within 50m of a watercourse or drainage feature in the Great Barrier Reef catchment areas	Exempt clearing work, or notification and compliance with managing Category R regrowth accepted development vegetation clearing code or area management plans.	
X	white	Clearing on freehold land, indigenous land and leasehold land for agriculture and grazing purposes is considered exempt clearing work under the vegetation management framework. Contact DNRME to clarify whether a development approval is required for other State land tenures.	No permit or notification required on freehold land, indigenous land and leasehold land for agriculture and grazing. A development approval may be required for some State land tenures.	

Property Map of Assessable Vegetation (PMAV)

This report does not confirm if a Property Map of Assessable Vegetation (PMAV) exists on a lot. To confirm whether or not a PMAV exists on a lot, please check the PMAV layer on the Queensland Globe2, or contact DNRME on 135VEG (135 834).

3.2 Regional ecosystems

The endangered, of concern and least concern regional ecosystems on your property are shown on the vegetation management supporting map in section 5.2 and are listed in Table 5.

A description of regional ecosystems can be accessed online at

https://www.qld.gov.au/environment/plants-animals/plants/ecosystems/descriptions/

Table 5: Regional ecosystems present on subject property

Regional Ecosystem	VMA Status	Category	Area (Ha)	Short Description	Structure Category
7.11.51	Least concern	В	4.09	Corymbia clarksoniana and/or Eucalyptus drepanophylla open forest to woodland on metamorphics	Mid-dense
9.11.7	Least concern	В	42.95	Eucalyptus platyphylla and/or E. cullenii +/- Corymbia clarksoniana woodland on texture contrast soils on metamorphic hills	Sparse
9.3.13	Least concern	В	1.44	Melaleuca spp., Eucalyptus camaldulensis and Casuarina cunninghamiana fringing open forest on streams and channels	Sparse
9.3.3	Least concern	В	5.75	Corymbia spp. and Eucalyptus spp. dominated mixed woodland on alluvial flats, levees and plains	Mid-dense
9.5.15	Least concern	В	9.20	Melaleuca monantha +/- M. viridiflora +/- Callitris intratropica mixed low woodland on valley infill	Sparse
9.5.9	Least concern	В	21.58	Corymbia clarksoniana and/or Eucalyptus leptophleba and/or E. platyphylla woodland on plains	Sparse
non-rem	None	Х	8.79	None	None

Please note:

The VMA status of the regional ecosystem (whether it is endangered, of concern or least concern) also determines if any of the following are applicable:

- exempt clearing work
- accepted development vegetation clearing codes
- performance outcomes in State Development Assessment Provisions (SDAP).

3.3 Watercourses

Vegetation management watercourses and drainage features for this property are shown on the vegetation management supporting map in section 5.2.

3.4 Wetlands

There are no vegetation management wetlands present on this property.

3.5 Essential habitat

^{1.} All area and area derived figures included in this table have been calculated via reprojecting relevant spatial features to Albers equal-area conic projection (central meridian = 146, datum Geocentric Datum of Australia 1994). As a result, area figures may differ slightly if calculated for the same features using a different co-ordinate system.

^{2.} If Table 5 contains a Category 'plant', please be aware that this refers to 'plantations' such as forestry, and these areas are considered non-remnant under the VMA.

Protected wildlife is native wildlife prescribed under the *Nature Conservation Act 1992* (NCA), and includes endangered, vulnerable or near-threatened wildlife.

Essential habitat for protected wildlife includes suitable habitat on the lot, or where a species has been known to occur up to 1.1 kilometres from a lot on which there is assessable vegetation. These important habitat areas are protected under the VMA

Any essential habitat on this property will be shown as blue hatching on the vegetation supporting map in section 5.2.

If essential habitat is identified on the lot, information about the protected wildlife species is provided in Table 6 below. The numeric labels on the vegetation management supporting map can be cross referenced with Table 6 to outline the essential habitat factors for that particular species. There may be essential habitat for more than one species on each lot, and areas of Category A, Category B and Category C can be mapped as Essential Habitat.

Essential habitat is compiled from a combination of species habitat models and buffered species records. Regional ecosystem is a mandatory essential habitat factor, unless otherwise stated. Essential habitat, for protected wildlife, means an area of vegetation shown on the Regulated Vegetation Management Map as assessable vegetation -

- 1) that has at least 3 essential habitat factors for the protected wildlife that must include any essential habitat factors that are stated as mandatory for the protected wildlife in the essential habitat database. Essential habitat factors are comprised of regional ecosystem (mandatory for most species), vegetation community, altitude, soils, position in landscape; or
- 2) in which the protected wildlife, at any stage of its life cycle, is located.

If there is no essential habitat mapping shown on the vegetation management supporting map for this lot, and there is no table in the sections below, it confirms that there is no essential habitat on the lot.

Category A and/or Category B and/or Category C

Table 6: Essential habitat in Category A and/or Category B and/or Category C

No records

3.6 Protected plants (administered by the Department of Environment and Science (DES))

In Queensland, all plants that are native to Australia are protected plants under the *Nature Conservation Act 1992* (NCA), with clearing of protected plants in the wild regulated by the Nature Conservation (Wildlife Management) Regulation 2006. These requirements apply irrespective of the classification of the vegetation under the *Vegetation Management Act 1999*.

Prior to clearing, if the plants proposed to be cleared are in the wild (see <u>Operational policy: When a protected plant in Queensland is considered to be 'in the wild'</u>) and the exemptions under the <u>Nature Conservation (Wildlife Management)</u> Regulation 2006 are not applicable to the proposed clearing, you must check the flora survey trigger map to determine if any part of the area to be cleared is within a high risk area. The trigger map for this property is provided in section 5.5. The exemptions relate to:

- imminent risk of death or serious injury (refer s261A)
- imminent risk of serious damage to a building or other structure on land, or to personal property (refer s261B)
- Fire and Emergency Service Act 1990 (refer 261C)
- previously cleared areas (refer s261ZB)
- maintenance activities (refer s261ZC)
- firebreak or fire management line (refer s261ZD)
- accepted development vegetation clearing code (refer s261ZE)
- conservation purposes (refer s261ZG)
- authorised in particular circumstances (refer s385).

Some exemptions under the NCA are the same as exempt clearing work (formerly known as exemptions) from the *Vegetation Management Act 1999* (i.e. listed in the Planning Regulations 2017) while some are different.

If the proposed area to be cleared is shown as blue (i.e. high risk) on the flora survey trigger map, a flora survey of the clearing impact area must be undertaken in accordance with the flora survey guidelines. The main objective of a flora survey

is to locate any endangered, vulnerable or near threatened plants (EVNT plants) that may be present in the clearing impact area.

If a flora survey identifies that EVNT plants are not present within the clearing impact area or clearing within 100m of EVNT plants can be avoided, the clearing activity is exempt from a permit. An <u>exempt clearing notification form</u> must be submitted to the Department of Environment and Science, with a copy of the flora survey report, at least one week prior to clearing. The clearing must be conducted within two years after the flora survey report was submitted.

If a flora survey identifies that EVNT plants are present in, or within 100m of, the area to be cleared, a clearing permit is required before any clearing is undertaken. The flora survey report, as well as an impact management report, must be submitted with the <u>application form clearing permit</u>.

In an area other than a high risk area, a clearing permit is only required where a person is, or becomes aware that EVNT plants are present in, or within 100m of, the area to be cleared. You must keep a copy of the flora survey trigger map for the area subject to clearing for five years from the day the clearing starts. If you do not clear within the 12 month period that the flora survey trigger map was printed, you need to print and check a new flora survey trigger map.

Further information on protected plants is available at

http://www.ehp.qld.gov.au/licences-permits/plants-animals/protected-plants/

For assistance on the protected plants flora survey trigger map for this property, please contact the Department of Environment and Science at palm@des.gld.gov.au.

3.7 Emissions Reduction Fund (ERF)

The ERF is an Australian Government scheme which offers incentives for businesses and communities across the economy to reduce emissions.

Under the ERF, landholders can earn money from activities such as planting (and keeping) trees, managing regrowth vegetation and adopting more sustainable agricultural practices.

The purpose of a project is to remove greenhouse gases from the atmosphere. Each project will provide new economic opportunities for farmers, forest growers and land managers.

Further information on ERF is available at https://www.gld.gov.au/environment/land/state/use/carbon-rights/.

4. Contact information for DNRME

For further information on vegetation management:

Phone 135VEG (135 834)

Email vegetation@dnrme.gld.gov.au

Visit www.dnrme.gld.gov.au/our-department/contact-us/vegetation-contacts to submit an online enquiry.

For contact details for other State and Commonwealth agencies, please see Section 6.

5. Maps

The maps included in this report may also be requested individually at:

https://www.dnrme.qld.gov.au/qld/environment/land/vegetation/vegetation-map-request-form and

http://www.ehp.qld.gov.au/licences-permits/plants-animals/protected-plants/map-request.php

Regulated vegetation management map

The regulated vegetation management map shows vegetation categories needed to determine clearing requirements. These maps are updated monthly to show new property maps of assessable vegetation (PMAV).

Vegetation management supporting map

The vegetation management supporting map provides information on regional ecosystems, wetlands, watercourses and essential habitat.

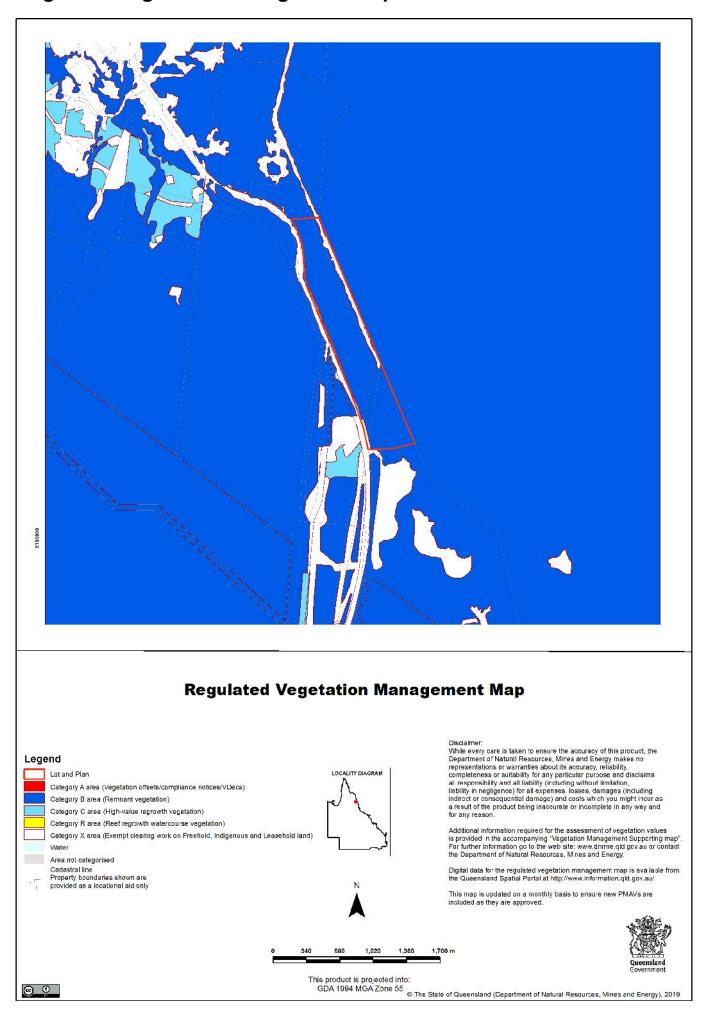
Coastal/non coastal map

The coastal/non-coastal map confirms whether the lot, or which parts of the lot, are considered coastal or non-coastal for the purposes of the accepted development vegetation clearing codes and the State Development Assessment Provisions (SDAP).

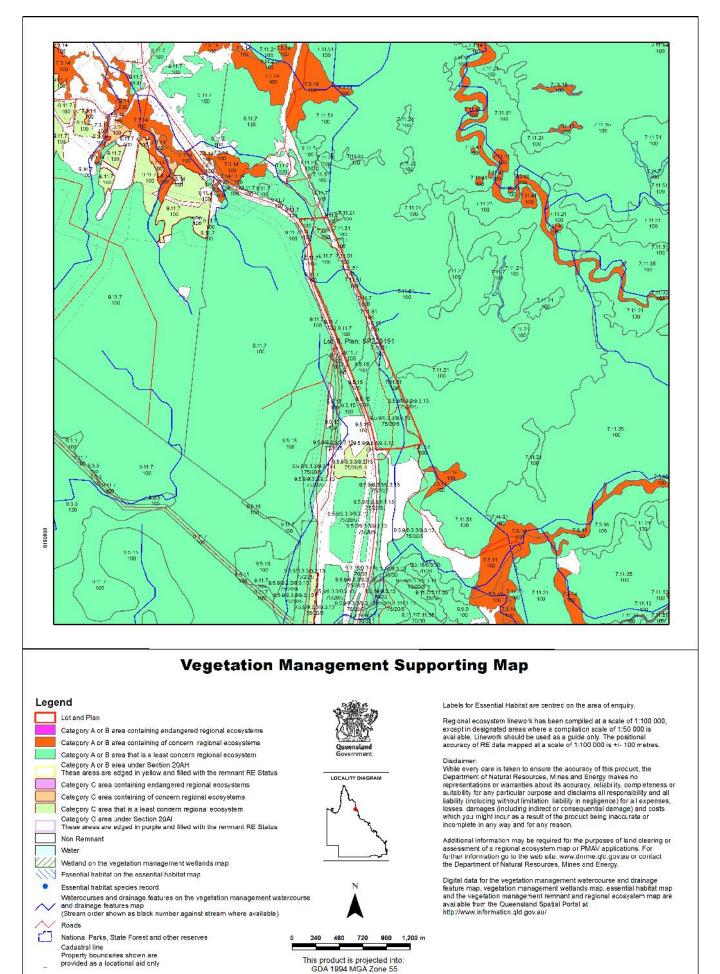
Protected plants map

The protected plants map shows areas where particular provisions of the *Nature Conservation Act 1992* apply to the clearing of protected plants.

5.1 Regulated vegetation management map



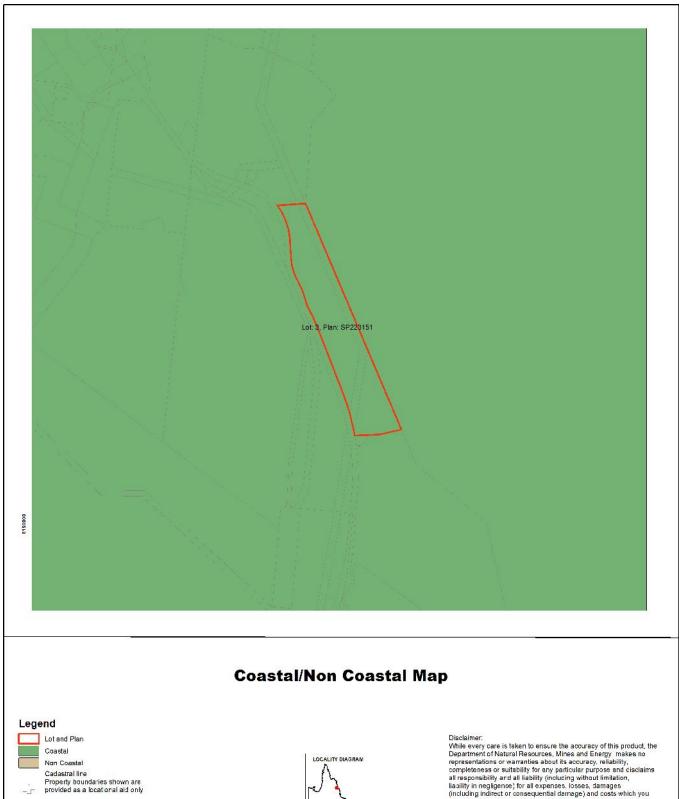
5.2 Vegetation management supporting map

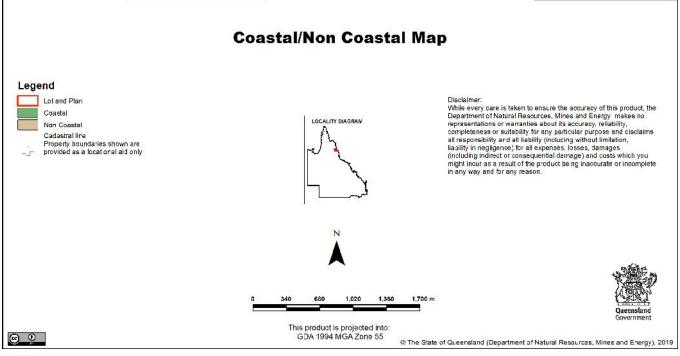


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@ The State of Queensland (Department of Natural Resources, Mines and Energy), 2019

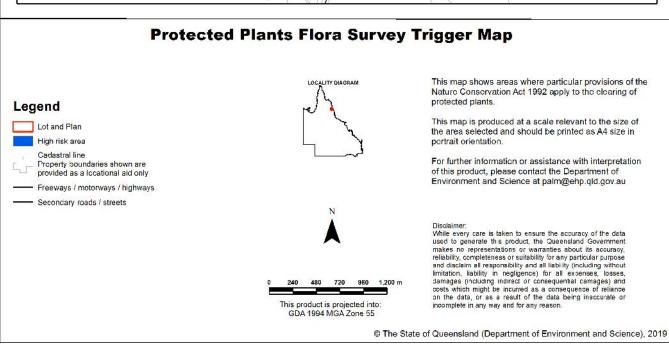
5.3 Coastal/non coastal map





5.4 Protected plants flora survey trigger map





Protected plants flora survey trigger map

The protected plants flora survey trigger map identifies 'high risk areas' where endangered, vulnerable or near threatened plants are known to exist or are likely to exist. Under the *Nature Conservation Act 1992* (the Act) it is an offence to clear protected plants that are 'in the wild' unless you are authorised or the clearing is exempt, for more information see <u>section 89</u> of the Act.

Please see the Department of Environment and Science webpage on the <u>clearing of protected plants</u> for information on what exemptions may apply in your circumstances, whether you may need to undertake a flora survey, and whether you may need a protected plants clearing permit.

Updates to the data informing the flora survey trigger map

The flora survey trigger map will be reviewed, and updated if necessary, at least every 12 months to ensure the map reflects the most up-to-date and accurate data available.

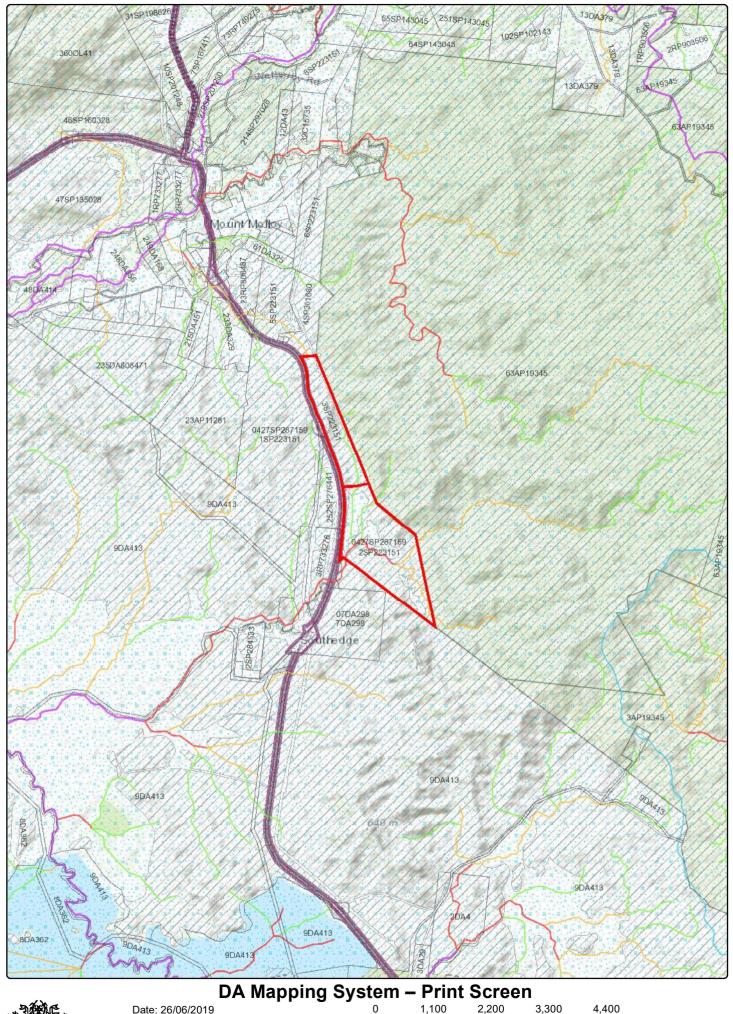
Species information

Please note that flora survey trigger maps do not identify species associated with 'high risk areas'. While some species information may be publicly available, for example via the <u>Queensland Spatial Catalogue</u>, the Department of Environment and Science does not provide species information on request. Regardless of whether species information is available for a particular high risk area, clearing plants in a high risk area may require a flora survey and/or clearing permit. Please see the Department of Environment and Science webpage on the <u>clearing of protected plants</u> for more information.

6. Other relevant legislation contacts list

Activity	Legislation	Agency	Contact details
Interference with overland flow Earthworks, significant disturbance	Water Act 2000 Soil Conservation Act 1986	Department of Natural Resources, Mines and Energy (Queensland Government)	Ph: 13 QGOV (13 74 68) www.dnrme.qld.gov.au
Indigenous Cultural Heritage	Aboriginal Cultural Heritage Act 2003 Torres Strait Islander Cultural Heritage Act 2003	Department of Aboriginal and Torres Strait Islander Partnerships (Queensland Government)	Ph: 13 QGOV (13 74 68) www.datsip.qld.gov.au
Mining and environmentally relevant activities Infrastructure development (coastal) Heritage issues Protected plants and protected areas¹	Environmental Protection Act 1994 Coastal Protection and Management Act 1995 Queensland Heritage Act 1992 Nature Conservation Act 1992	Department of Environment and Science (Queensland Government)	Ph: 13 QGOV (13 74 68) www.des.qld.gov.au
Interference with fish passage in a watercourse, mangroves Forestry activities ²	Fisheries Act 1994 Forestry Act 1959	Department of Agriculture and Fisheries (Queensland Government)	Ph: 13 QGOV (13 74 68) www.daf.qld.gov.au
Matters of National Environmental Significance including listed threatened species and ecological communities	Environment Protection and Biodiversity Conservation Act 1999	Department of the Environment (Australian Government)	Ph: 1800 803 772 www.environment.gov.au
Development and planning processes	Planning Act 2016 State Development and Public Works Organisation Act 1971	Department of State Development, Manufacturing, Infrastructure and Planning (Queensland Government)	Ph: 13 QGOV (13 74 68) www.dsdmip.qld.gov.au
Local government requirements	Local Government Act 2009 Planning Act 2016	Department of Local Government, Racing and Multicultural Affairs (Queensland Government)	Ph: 13 QGOV (13 74 68) Your relevant local government office

- 1. In Queensland, all plants that are native to Australia are protected plants under the <u>Nature Conservation Act 1992</u>, which endeavours to ensure that protected plants (whether whole plants or protected plants parts) are not illegally removed from the wild, or illegally traded. Prior to clearing, you should check the flora survey trigger map to determine if the clearing is within a high-risk area by visiting <u>www.des.qld.gov.au</u>. For further information or assistance on the protected plants flora survey trigger map for your property, please contact the Department of Environment and Science on 13QGOV (13 74 68) or email <u>palm@des.gld.gov.au</u>.
- 2. Contact the Department of Agriculture and Fisheries before clearing:
 - Any sandalwood on state-owned land (including leasehold land)
 - On freehold land in a 'forest consent area'
 - More than five hectares on state-owned land (including leasehold land) containing commercial timber species listed in parts 2 or 3 of Schedule 6 of the Vegetation Management Regulation 2012 and located within any of the following local government management areas-Banana, Bundaberg Regional, Fraser Coast Regional, Gladstone Regional, Isaac Regional, North Burnett Regional, Somerset Regional, South Burnett Regional, Southern Downs Regional, Tablelands Regional, Toowoomba Regional, Western Downs Regional.





Date: 26/06/2019 1,100 2,200

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_	3 - High	
_	4 - Major	
Regulated vegetation management map (Category A and B extract)		
	Category A on the regulated vegetation management map	
	Category B on the regulated vegetation management map	
Water res	source planning area boundaries	
1 × 1 × 1	Water resource planning area boundaries	
Area with	nin 25m of a State-controlled road	
\square	Area within 25m of a State-controlled road	
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223	State-controlled road	

DA Mapping System – Print Screen

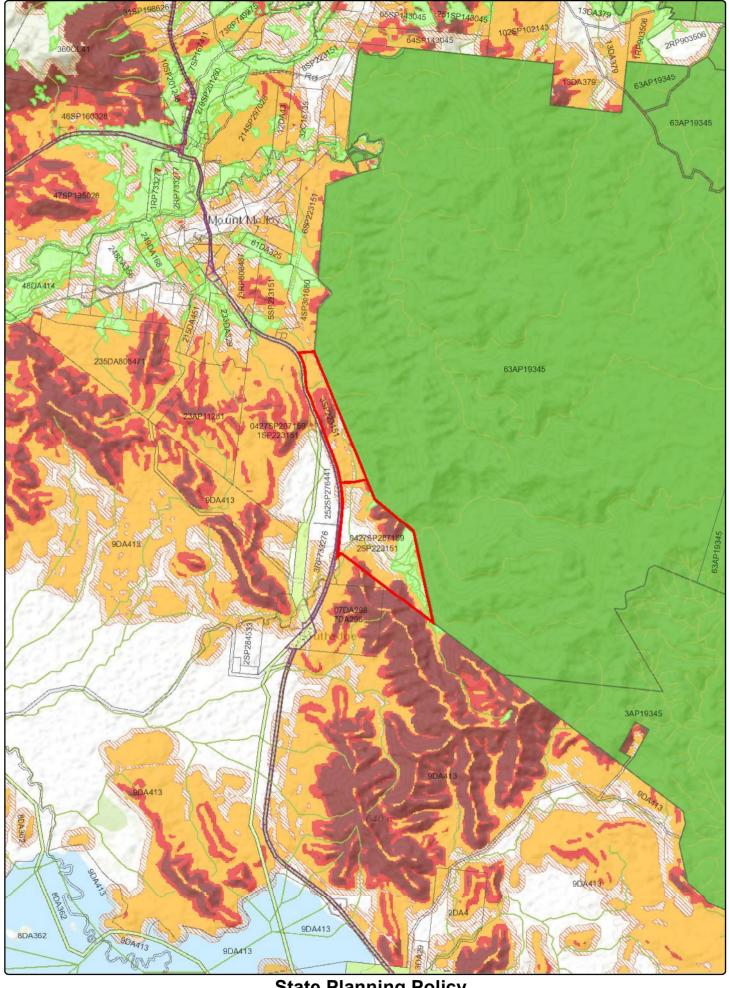


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Date: 26/06/2019

State Planning Policy Making or amending a local planning instrument and designating land for community infrastructure

Department of State Development, Manufacturing, Infrastructure and Planning

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1,100 2,200 3,300

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4,400

Legend

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	MSES - Protected areas (estate)	
MSES - F	Regulated vegetation (category B)	
	MSES - Regulated vegetation (category B)	
Stock ro	ute network	
	Stock route network	
Bushfire	prone area	
	Very High Potential Bushfire Intensity	
	High Potential Bushfire Intensity	
	Medium Potential Bushfire Intensity	
	Potential Impact Buffer	



State Planning Policy
Making or amending a local planning instrument
and designating land for community infrastructure

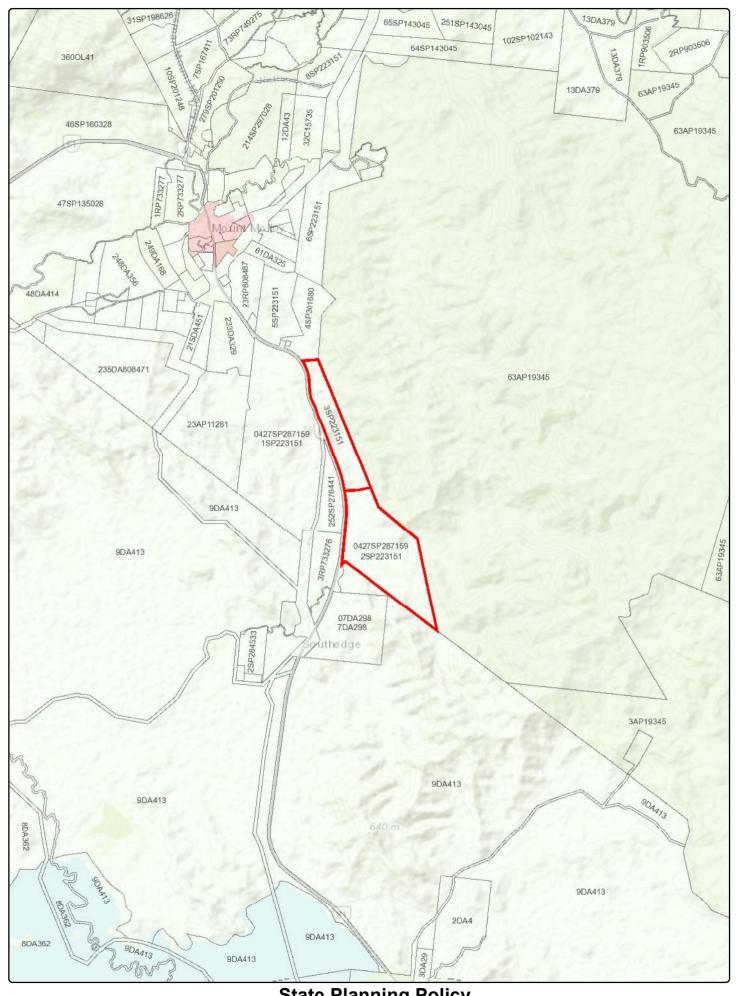


Department of State Development, Manufacturing, Infrastructure and Planning

Date: 26/06/2019

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Date: 26/06/2019

State Planning Policy Making or amending a local planning instrument and designating land for community infrastructure

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Legend

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	Rural Living Area	
	Regional Landscape and Rural Production Area	



State Planning Policy
Making or amending a local planning instrument
and designating land for community infrastructure

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ATTACHMENT 4:

MSC CORRESPONDENCE



30



Department of
State Development,
Manufacturing,
Infrastructure and Planning

PA6-L

Our reference: 1906-11537 SPL

Your reference: 19-462

21 June 2019

Mr Martin Anton C/- Urban Sync Pty Ltd PO Box 2970 CAIRNS QLD 4870 justin@urbansync.com.au

Attention: Mr Justin Phipps

Dear Mr Anton

Amended Pre-lodgement advice

Thank you for your correspondence received on 6 June 2019 in which you sought pre-lodgement advice from the Department of State Development, Manufacturing, Infrastructure and Planning regarding the proposed development described below.

This letter provides advice regarding the likely major issues relevant to the development proposal to assist in the timely processing of a development application. While this advice is provided in good faith, if the proposal is changed, this advice is not binding.

This pre-lodgement advice has been updated to include advice about the Water Act 2000 and mining interests. Although this notice replaces the notice given on 20 June 2019, the advice given on 20 June 2019 remains unchanged.

Further advice may be required if the development involves reconfiguring a lot.

Reference information

Departmental role:

Referral agency

Departmental jurisdiction: (Planning Regulation 2017)

- Schedule 10, Part 3, Division 4, Table 3 Clearing native vegetation
- Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 State transport corridor (State-controlled road)
- Schedule 10, Part 5, Division 4, Table 2 Non-devolved environmentally relevant activities

Far North Queensland regional office Ground Floor, Cnr Grafton and Hartley Street, Cairns PO Box 2358, Cairns QLD 4870 Schedule 10, Part 6, Division 4, Subdivision 1, Section 12 – Waterway barrier works

Location details

Street address: 3276 Mulligan Highway, Mount Molloy; 3278 Mulligan Highway, Mount

Molloy

Real property description: 2SP223151; 3SP223151

Local government area: Mareeba Shire Council

Existing use: Animal husbandry (cattle grazing)

Relevant site history: Not known

Details of proposal

Development type: Material change of use

Development description: Development Permit for Material Change of Use for High Impact

Industry (Concrete Recycling Yard).

The development will utilise an approximate 2ha area of the site for the storage, recycling and reuse of concrete. The remainder of the site will continue to be used for cattle grazing with 25-30 head of cattle

to be retained.

Access to the site will be via the Mulligan Highway through the access

easement in Lot 2 on SP223151.

The concrete will be trucked to the site sporadically with anticipated truck movements to vary between five (5) and twenty per month (truck movements will be entirely dependent on the number of demolition projects completed by the Applicant).

The site will be open to the public to purchase the recycled concrete

materials.

Supporting information

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
Request for pre-lodgement advice for a proposed material change of use for high impact industry (concrete recycling yard) over part of lots 2 & 3 on sp223151 at 3278 Mulligan Highway, Southedge, Mount Molloy.	Matt Ingram	4 June 2019	19-462	
Proposed Reconfiguration of a Lot (2 lots into 2 lots)	Twine Surveys	7 May 2019	7946	В

The department has carried out a review of the information provided and the impacts of the proposal. The following advice outlines the matters of interest to the department and matters that should be addressed if you lodge your development application with the assessment manager.

The department provides the following advice to the applicant:

Item Advice

Assessment Manager

The assessment manager for the development application is Mareeba Shire Council. The State Assessment and Referral Agency (SARA) is a referral agency for the application.

1. Please contact Mareeba Shire Council for pre-lodgement advice about lodging a development application with it. Information about Mareeba Shire Council's pre-lodgement advice service is available at: https://msc.qld.gov.au/building-planning/planning/#Planning_and_Development_Pre-Lodgement

Referrals

The <u>Planning Regulation 2017</u> identifies the referrals of development applications to the State Assessment and Referral Agency (SARA). The proposed Material Change of Use for a High Impact Industry (Concrete Recycling Yard) triggers referral to SARA for the following matters:

- Schedule 10, Part 3, Division 4, Table 3 Clearing native vegetation
- Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 State transport corridor (State-controlled road)
- 2. The following referral fees currently apply:
 - Clearing native vegetation \$3240.00
 - State-controlled road \$1619.00 (if it does not involve a new relevant vehicular access)

Please note that the referral assessment fees are subject to change. Please check Schedule 9 and 10 of the Planning Regulation 2017, or contact the department,s prior the lodgement of your application, to confirm the referral assessment fees.

State Development Assessment Provisions

- The <u>State Development Assessment Provisions</u> (SDAP) version 2.4 took effect on 16 November 2018. The development application should include a response to the SDAP:
 - a. State code 1: Development in a state-controlled road environment
 - b. State code 16: Native vegetation clearing
- To assist applicants in preparing a development application, the department has prepared SDAP version 2.4 response templates.
- Please note, the SDAP is continually amended to reflect updates to legislation and policies. It
 is recommended that you check the department's <u>website</u> to ensure you are addressing the
 current SDAP version when preparing your application.
 - SDAP v2.5 has been published on the DSDMIP website on 17 June 2019 and is scheduled to take effect on 1 July 2019 through an amendment to the Planning Regulation 2017.
 - An application that complies with all relevant acceptable outcomes is considered to satisfy
 the corresponding performance outcome. If an application does not comply with one or more
 of the applicable acceptable outcomes, compliance with the performance outcome should be
 demonstrated.

State-controlled Road

4. State Code 1: Development in a state-controlled road environment

Provide a detailed development application including detailed site plan/s and access location plan to address and demonstrate compliance with the SDAP: State Code 1: Development in a state-controlled road environment.

When lodging a formal development application, the applicant is required to provide scaled and sufficiently detailed plans and supporting documentation which clearly identify all aspects of the proposed development in relation to the Mulligan Highway, a state-controlled road.

Further guidance on what information needs to be supplied with a formal development application can be obtained from the Department of Transport and Main Roads' *State Development Assessment Provisions (SDAP) Supporting Information* available at

https://www.tmr.qld.gov.au/Community-and-environment/Planning-and-development/Planning-and-development-assessment-under-the-Planning-Act/Assessable-development

5. Traffic Generation

The proposed development for a concrete recycling yard development will be increasing traffic generation via an existing rural property access. The applicant is required to provide to the Department of Transport and Main Roads (DTMR) a breakdown of the expected traffic generation rate for the proposed concrete recycling yard development.

The expected traffic generation rate should include, the number, type and size of all vehicles including the largest vehicle as well as the projected visitor and worker numbers that will access the proposed development on a daily and weekly basis via the Mulligan Highway, a state-controlled road.

In addition, the applicant is required to confirm via a swept-path analysis that the current rural property access can accommodate the largest vehicle that will access Lot 3 on SP223151 (the subject site).

Vegetation clearing

6. Native vegetation

The proposed development area contains the following features and vegetation types:

- Category B area (containing least concern regional ecosystems); and,
- Watercourses/drainage features shown on the vegetation management watercourse and drainage feature map.

The mapped regional ecosystems within the proposed development area are:

- 9.3.3
- 9.3.13
- 9.5.9; and,
- 9.5.15.

Information on the land is available through:

• Queensland Globe: https://qldglobe.information.qld.gov.au/

- A vegetation management report: www.qld.gov.au/environment/land/vegetation/map-request/.
 - The report includes relevant property information and a series of maps and supporting information outlining the requirements for clearing vegetation on this land;
- The Regional Ecosystem Description Database: https://environment.des.qld.gov.au/regional-ecosystems/.

7. Vegetation Management Act 1999 - section 22A

Prior to submitting the development application to clear native vegetation, the applicant must first obtain written confirmation from the Department of Natural Resources, Mines and Energy (DNRME) that the proposed development is for a relevant purpose under section 22A of the *Vegetation Management Act 1999* (VMA).

The section 22A application should include the following information:

- (a) the purpose and details of the vegetation clearing
- (b) where the proposed development is to be located and why this location was chosen
- (c) existing and proposed infrastructure including buildings, fences and roads
- (d) why the development is necessary; and,
- (e) evidence the clearing associated with the development cannot be reasonably avoided or minimised.

Requests for a relevant purpose determination must be lodged in writing directly to DNRME, and can be sent to either PO Box 5318, Townsville Qld 4810 or northvegetation@dnrme.qld.gov.au. There is no prescribed fee for these requests. Further information is available at: https://www.dnrme.qld.gov.au/ data/assets/pdf https://www.dnrme.qld.gov.au/ data/assets/pdf https://www.dnrme.qld.gov.au/ data/assets/pdf https://www.dnrme.qld.gov.au/ data/assets/pdf file/0003/1395201/relevant-purpose-determination-application-form.pdf.

If DNRME determines the clearing is for a relevant purpose under section 22A of the VMA, the applicant may then lodge a development application with the assessment manager.

8. State code 16: Native vegetation clearing

The application requires referral as accepted operational work (Exempt Clearing Work) may be carried out because of the material change of use if the development application is approved.

The development application will need to address and meet the requirements of the SDAP: State code 16: Native vegetation clearing, PO1 – PO4, PO7, PO11, PO16, PO20, PO22 – PO24 and PO27.

Guidance on how to comply with this code is provided in State Development Assessment Provisions Guidance material: State code 16: Native vegetation clearing, Department of Natural Resources, Mines and Energy, 2018. This guideline is available at:

https://www.dnrm.qld.gov.au/__data/assets/pdf_file/0010/1258075/state-code-16-veg-clearing-guide.pdf.

Appendix 2 of this guideline provides details on the standard application information for all development applications involving the clearing of native vegetation.

Owner's Consent from DNRME

Based on the information provided, owner's consent from DNRME is not required in this instance.

Environmentally Relevant Activities (ERA)

9. Material change of use for an ERA

From the information provided by the proponent, the proposal will be under the thresholds for a material change of use for the following ERAs following:

- ERA 33 Crushing, milling, grinding or screening more than 5,000 tonnes of material in a year
- ERA 54 Mechanical waste reprocessing, operating a facility for receiving and mechanically reprocessing, in a year, more than 5,000t of inert, non-putrescible waste or green waste

Therefore, the proposal is not a material change of use for an ERA that is assessable development.

If the activity does exceed these thresholds in the future, a development application and environmental authority will be required as these are concurrence ERAs. A development application will need to address and meet the requirements of SDAP: State code 22: Environmentally relevant activities.

Concurrence ERAs are a material change of use that is assessable development under the *Planning Act 2016*. Concurrence ERAs require a development permit in addition to an environmental authority.

ERAs that are not a concurrence ERA, while not assessable development, still require an environmental authority.

10. Environmental Authority

Based on the information submitted with the pre-lodgement application, and email correspondence with the applicant, it is considered that the operation of the activity will require an environment authority (EA) for prescribed environmentally relevant activities' (ERA).

The prescribed ERAs are outlined in Schedule 2 of the Environmental Protection Regulation 2008 https://www.legislation.gld.gov.au/view/html/inforce/current/sl-2008-0370#sch.2

The Environmental Protection Regulation 2008 is changing on 1 July 2019 or after 1 July 2019. The environmental authority will be subject to the new framework whether the application is submitted before or after 1 July 2019.

The following Environmentally Relevant Activities (ERA) will require an environmental authority for the proposed concrete recycling yard:

- ERA 62 Resource recovery and transfer facility operation
 - 1 Operating a facility for receiving and sorting, dismantling, bailing or temporarily storing –
 - 1(a) scrap steep, non-putrescible waste or green waste only

If the environmental authority is approved, the applicant will be required to pay an annual fee depending on the ERAs applied for. The current annual fee, until 1 July 2019, for ERA 62 (1a) is **\$8,404.10**. After 1 July 2019, the annual fee for ERA 62 (1a) will be **\$1,662.60**.

The first annual fee will be payable 20 business days after the date the environmental authority takes effect ('anniversary day'). After this initial payment, DES will send a notice each year before the anniversary day requesting payment of the annual fee.

Please note that ERA 62 (1) (a) is not a concurrence ERA and is therefore not assessable development under the *Planning Act 2016*.

Constructing or raising waterway barrier works within fish habitat

The premises contain waterways that are mapped red, amber and green according to the Queensland waterway for waterway barrier works spatial data layer.

The application material appears to show that the location of the concrete recycling area avoids mapped waterways. However, it should be noted that, as per page 9 of the <u>Guide for the</u> <u>determination of waterways using the spatial data layer *Queensland waterways for waterway* <u>barrier works</u>, the stream polyline shown on the data layer may not always accurately represent the exact location of the waterway and care should be taken to ensure that the location of the waterway is accurately identified.</u>

Should future works such as the upgrading of the access track include works within the bed and banks of the waterways on the subject land it is recommended that the applicant refer to the following factsheets for more information on waterway barrier works:

- a) What is a waterway?
- b) What is a waterway barrier work?
- c) What is not a waterway barrier work?

Under the *Planning Regulation 2017*, works involving raising or constructing waterway barrier works (such as a creek crossing) must be undertaken in accordance with the relevant <u>accepted development requirements</u> or under a development approval (assessable development).

If any proposed development is a waterway barrier works, it is recommended that the applicant seeks further pre-lodgement advice.

Profit a Pendre

The proposed development area is within a forest consent area.

Any interference with forest products within a forest consent area would be an offence under the *Forestry Act 1959* unless otherwise authorised.

Before any clearing or other interference with the forest products occurs, contact should be made with the local Forest Products office in Rockhampton to discuss Forestry Act requirements.

The quarry material on the two lots are considered Forest Product. Any proposed use of the quarry material on the development area should be discussed with the Forest Products office in Rockhampton.

Contact details for the Rockhampton office are: telephone 4843 2650 and email fp.NorthFma@daf.qld.gov.au

Water

Lots 2 and 3 on SP223151 are located with the Water Plan (Mitchell) 2007 area (Mitchell Water Plan).

The proposed concrete recycling site and access road intercept waterway features determined to be drainage features for the purpose of the *Water Act 2000*. Water in a drainage feature is considered to be overland flow water, which is regulated under the Mitchell Water Plan. A water entitlement under the *Water Act 2000* and development approval under the *Planning Act 2016* is required under certain circumstances within this area.

Item **Advice** If the proposal development requires the take of overland flow water using works with a capacity of greater than 250 megalitres, the proponent should contact the Department of Natural Resources, Mines and Energy, Mareeba office on 4017 0140 for further advice. The subject lots are located outside of a groundwater management area. Authorisation under the Water Act 2000 and development approval under the Planning Act 2016 are not required for taking underground water for any purpose within this area. A licenced bore driller is required to drill a bore that is deeper than 6 metres. Mining interests 13. Historical workings (abandoned mines) An abandoned copper mine is mapped within close proximity to the proposed development area. Not all sites of historical workings are mapped, and where mapped, may not accurately depict locations of former operations. The proposed development should appropriately consider the location of former mining activities and the potential risk to property and people. 14. Exploration permit for minerals Part of Lot 3 on SP223151 is subject to an application for an exploration permit for minerals (EPM26897) which is yet to be granted. If an exploration permit is granted, the permit holder would need to advise affected landholders with a notice of entry. If the permit is granted before any development application is approved the proponent would need to advise the permit holder of the change of land use. 15. Mines Online Maps The status, location and extent of mining tenements and historical workings across Queensland can be viewed at MinesOnlineMaps via: https://minesonlinemaps.business.gld.gov.au, or alternatively at the Queensland Globe via: https://qldglobe.information.qld.gov.au/

This pre-lodgement advice does not constitute an approval or an endorsement that the department supports the development proposal. Additional information may be required to allow the department to properly assess the development proposal when a formal application has been lodged.

For further information please contact Tony Croke, Principal Planner, on 40373205 or via email CairnsSARA@dsdmip.qld.gov.au who will be pleased to assist.

Yours sincerely

Brett Nancarrow Manager (Planning)

puhuma)

65 Rankin Street PO Box 154 MAREEBA QLD 4880

P: 07 4086 4657 F: 07 4086 4733

W: www.msc.qld.gov.au E: info@msc.qld.gov.au

Council Ref: Preenq

Our Ref:

BM:nj

Your Ref: 19-462

12 June 20**1**9

PRE-LODGEMENT ADVICE

TO:

Anton Demolitions Pty Ltd

C/- Urban Sync PO Box 2970 CAIRNS QLD 4870

EMAIL ADDRESS:

admin@urbansync.com.au

PROPOSED

Material Change of Use - High Impact Industry (Concrete Recycling Yard)

DEVELOPMENT:

SUBJECT SITE:

Parts of Lots 2 and 3 on SP223151

Situated at 3278 Mulligan Highway, Mount Molloy

MEETING DATE:

n/a

MEETING LOCATION:

n/a

ATTENDEES:

n/a

PLANNING SCHEME:

Mareeba Shire Council Planning Scheme 2016

PROPOSAL:

Extract from Urban Sync Request for Informal Pre-Lodgement Advice dated 6 June 2019:

"The development will utilise an approximate 2ha area of the site (see **Attachment 1**) for the storage, recycling and reuse of concrete. The remainder of the site will continue to be used for cattle grazing with 25-30 head of cattle to be retained.

The concrete will be trucked to the site sporadically with anticipated truck movements to vary between five (5) and twenty per month (truck movements will be entirely dependent on the number of demolition projects completed by the Applicant). The site will be open to the public to purchase the recycled concrete materials. A full list of the material expected to be available to purchase is included in **Attachment 2**. Access to the site will be via the Mulligan Highway through the access easement in Lot 2 on SP223151.

Additional details of the use i.e., number of staff, buildings/structures, hours of operation etc., will be provided with the development application. We seek that Council contact us should Council

require any additional information on the proposal in order to provide comprehensive prelodgement advice."

TYPE OF APPLICATION REQUIRED:

Application for a development permit for Material Change of Use - High Impact Industry (Impact Assessment).

SUPPORTING INFORMATION PROVIDED BY APPLICANT:

 Attachment 1 - Request for Informal Pre-lodgement Advice for a Proposed Material Change of Use (High Impact Industry - Concrete Recycling Yard) - Urban Sync - 6 June 2019

RELEVANT SITE HISTORY:

Nil

APPLICABLE PLANNING INSTRUMENTS, APPLICATION PROCESS AND FEES:

FNQ2031 Regional Plan:	Appropriately reflected with the Mareeba Shire Council Planning Scheme 2016		
Relevant State Planning Policies:	Appropriately reflected with the Mareeba Shire Council Planning Scheme 2016		
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016		
	https://msc.qld.gov.au/building-planning/planning/		
Strategic	Rural Area - Rural Other		
Framework:	Natural Environment Elements - Ecological Corridor		
	Infrastructure Elements - Major Electrical Infrastructure		
Zone:	Rural zone		
Applicable Overlays:	Bushfire hazard overlay		
	Environmental significance overlay - Waterway Buffer. Stream Order data held by Council indicates a Stream Order of 0.)		
	Environmental significance overlay - Ecological Corridor		
	Hill and slope overlay		
	Regional infrastructure corridors and substation overlay		
Other Relevant	State Assessment and Referral Agency mapping		
Mapping:	https://planning.dsdmip.qld.gov.au/		
Applicable Planning	Policy 4 - FNQROC Regional Development Manual		
Scheme Policies:	Policy 2 - Ecological Assessment Reports		
Planning Scheme Land Use definition:	High Impact Industry		
Level of Assessment:	An aspect of the proposed development will require Impact Assessment.		

	The impact assessable aspects will be assessed against all relevant provisions of the Mareeba Shire Council Planning Scheme 2016. Impact assessable development will be assessed against the whole Planning Scheme including the Strategic Framework, the purpose and requirements for the particular zone and all Codes as deemed relevant to the proposal. Where Codes are applicable for impact assessment, the acceptable outcomes provide one means for achieving the Performance Outcome. While there may be other ways of complying with the Performance Outcome and still meeting the Code's purpose, it is up to the applicant to demonstrate that any alternative solution is appropriate. Impact assessable applications will also require public notification in accordance with the provisions of the Planning Act 2016.	
Applicable Planning Scheme Codes:	Rural Zone Code Industrial Activities Code Bushfire Hazard Overlay Code Environmental Significance Overlay Code Hill and Slope Overlay Code Regional Infrastructure Corridors and Substations Overlay Code Landscaping Code Parking and Access Code Works, Services and Infrastructure Code	
Minimum Public Notification Period:	15 business days	
Referral Agencies:	The Applicant is responsible for ensuring that the correct referral agencies are identified upon lodgement of the development application.	
Probable infrastructure (additional payment) condition:	In accordance with Section 130 of the <i>Planning Act 2016</i> , an additional payment condition may be imposed on the proposed development for trunk infrastructure (transport infrastructure network only). As the subject land is outside the Priority Infrastructure Area and the proposed development will be accessed directly off the Mulligan Highway (State controlled road), it is expected that Council will not impose a transport infrastructure network charge.	
Application Forms	DA Form 1 Application forms and general information about the planning application system can be downloaded from the Department of State Development, Manufacturing, Infrastructure and Planning's website: https://planning.dsdmip.qld.gov.au/planning/resources?query=DA%20form	
Council application fee:	2018/2019 financial year - \$6,145.00 2019/2020 financial year - \$6,300.00	

ISSUES IDENTIFIED BY THE APPLICANT FOR DISCUSSION:

The following general and specific responses are sought from Council in relation to the proposed development of the site:

(a) Please confirm Application Fees if there will be no OR very little GFA on the site.

Advice

Based on the advice that the development will involve two (2) sheds, both approximately $30m \times 15m (450m2)$, the application fee will be:

- 2018/2019 financial year \$6,145.00
- 2019/2020 financial year \$6,300.00
- (b) Please confirm that only the transport component of the applicable infrastructure charge will be applicable.

<u>Advice</u>

As the subject land is outside the Priority Infrastructure Area and the proposed development will be accessed directly off the Mulligan Highway (State controlled road), it is expected that Council will not impose a transport infrastructure network charge.

No other infrastructure network charges are applicable.

(c) Please confirm what infrastructure charges might be if there is no GFA associated with the development.

Advice

As the subject land is outside the Priority Infrastructure Area and the proposed development will be accessed directly off the Mulligan Highway (State controlled road), it is expected that Council will not impose a transport infrastructure network charge.

No other infrastructure network charges are applicable.

(d) Please confirm the stream order of the waterway that traverses the site so setbacks can be determined.

Advice

Stream Order data held by Council indicates a Stream Order of 0.

(e) We acknowledge the possible zoning conflicts with the proposed industrial use being located in a rural zone. We have however, been advised by the Applicants that preliminary advice from Council indicated that the site is suitable for the development. Please confirm.

Advice

Council's planning officers did have a short meeting with the proponent and Twine Surveys where the proposed development and site were discussed.

The proponent described the site as being situated between two (2) ridges, accessed off State controlled road, and having good separation from sensitive receptors.

Siting the proposed development between the two (2) ridges is intended to visually screen it from the Mulligan Highway, as well as potentially mitigating any adverse impacts of the concrete recycling process.

The site also drains to the Gulf of Carpentaria and not the Great Barrier Reef.

Based on these factors, Council officers agreed that there were strong planning grounds to locate the proposed development on the subject site.

(f) Please clarify the extent of supporting technical reports that Council require to suitably assesses the development application i.e., Environmental Management Plan, Sediment and Erosion Control Plans etc and if there is an opportunity to have the provision of these reports conditioned to be provided prior to the commencement of the use.

Advice

The application must be supported by a Planning Report addressing the relevant Planning Scheme Codes and Strategic Framework elements.

Due to the site's location within an Ecological Corridor as mapped by the Environmental Significance Overlay, an Ecological Assessment Report should be provided to demonstrate compliance with PO8 of the Environmental Significance Overlay Code.

The Environmental Management Plan and Sediment and Erosion Control Plan can be conditioned; however the Planning Report should provide a general overview of the proposed management measures.

(g) Please refer to the proposal plan in Attachment 1. Will this suffice for Council's assessment, or does additional information need to be provided to this plan i.e., hardstand areas, access car parking, toilets, fencing, specific storage areas, extent of buildings and structures etc.

Advice

The proposal plan in Attachment 1 is only enough to establish the general locality of the development.

A further plan/s must be provided identify hardstand areas, access car parking, toilets, fencing, specific storage areas, extent of buildings and structures etc.

A plan identifying the location of the nearest sensitive receptors must also be provided.

(h) Please confirm the extent of additional information in relation to the use itself that Council requires to accompany the development application i.e., hours of operation, number of customers per day, number of staff, etc.?).

<u>Advice</u>

Council expects that the planning report will provide a thorough description of the scale, intensity of the proposed development, including all matters mentioned in (h).

(i) Any other additional information or concerns Council considers relevant to the development are welcomed.

<u>Advice</u>

The proponent should consider a pre-lodgement meeting with CairnsSARA to determine all matters of State interest that will need to be considered as part of the proposed development.

Should you require any further information, please contact Council's Senior Planner Brian Millard on the above telephone number.

Yours faithfully

BRIAN MILLARD SENIOR PLANNER

DISCLAIMER:

This advice and information is provided on a 'without prejudice' basis. The pre-lodgement advice provided during and subsequent to pre-lodgement meetings should NOT be taken as a commitment as to whether an application would be approved with conditions or refused by council. The pre-lodgement process cannot override council's duty of care and legislative responsibilities in the assessment of development applications, including the consideration of matters raised by possible submitters and referral agencies during the detailed assessment process.

The proponent should seek their own independent professional advice on this pre-lodgement advice.

ATTACHMENT 1



T 07 4051 6946
E admin@urbansync.com.au
O Level I, 17 Aplin Street, Cairns
M PO Box 2970, Cairns Q 4870
ABN 83 169 940 649

6 June 2019

Our Ref: 19-462

Chief Executive Officer Mareeba Shire Council PO Box 154 MAREEBA, QLD, 4880

Attn:

Mr Brian Millard - Senior Planner (BrianM@msc.qld.gov.au)

Dear Brian.

REQUEST FOR INFORMAL PRE-LODGEMENT ADVICE FOR A PROPOSED MATERIAL CHANGE OF USE (HIGH IMPACT INDUSTRY - CONCRETE RECYCLING YARD) OVER PART OF LOTS 2 AND 3 ON SP223151 AT 3278 MULLIGAN HIGHWAY, SOUTHEDGE, MOUNT MOLLOY.

'Commercial in Confidence'

Urban Sync have been engaged by Anton Demolitions Pty Ltd (the Applicant) to prepare and lodge a Development Application over the above-mentioned land for the establishment of a Concrete Recycling Yard. The application is likely to seek the following approval:

 Development Permit for a Material Change of Use (High Impact Industry – Concrete Recycling Yard).

I PROPOSAL

The development will utilise an approximate 2ha area of the site (see **Attachment 1**) for the storage, recycling and reuse of concrete. The remainder of the site will continue to be used for cattle grazing with 25-30 head of cattle to be retained.

The concrete will be trucked to the site sporadically with anticipated truck movements to vary between five (5) and twenty per month (truck movements will be entirely dependent on the number of demolition projects completed by the Applicant). The site will be open to the public to purchase the recycled concrete materials. A full list of the material expected to be available to purchase is included in **Attachment 2**. Access to the site will be via the Mulligan Highway through the access easement in Lot 2 on SP223151.

Additional details of the use i.e., number of staff, buildings/structures, hours of operation etc., will be provided with the development application. We seek that Council contact us should Council require any additional information on the proposal in order to provide comprehensive pre-lodgement advice.

2 ADVICE SOUGHT

With the above in mind, before a development application can be prepared with any confidence, we seek informal, written pre-lodgement advice from Council in relation to the following matters (an email response is sufficient and we do not, at this stage, request a formal pre-lodgement and/or meeting):

- · Please confirm Application Fees if there will be no OR very little GFA on the site;
- Please confirm that only the transport component of the applicable infrastructure charge will be applicable.
- Please confirm what infrastructure charges might be if there is no GFA associated with the development:
- · Please confirm the stream order of the waterway that traverses the site so setbacks can be determined;
- We acknowledge the possible zoning conflicts with the proposed industrial use being located in a rural
 zone. We have however, been advised by the Applicants that preliminary advice from Council indicated
 that the site is suitable for the development. Please confirm;
- Please clarify the extent of supporting technical reports that Council require to suitably assesses the
 development application i.e., Environmental Management Plan, Sediment and Erosion Control Plans etc
 and if there is an opportunity to have the provision of these reports conditioned to be provided prior to
 the commencement of the use;
- Please refer to the proposal plan in Attachment 1. Will this suffice for Council's assessment, or does
 additional information need to be provided to this plan i.e., hardstand areas, access car parking, toilets,
 fencing, specific storage areas, extent of buildings and structures etc.
- Please confirm the extent of additional information in relation to the use itself that Council requires to
 accompany the development application i.e., hours of operation, number of customers per day, number
 of staff, etc.?); and
- Any other additional information or concerns Council considers relevant to the development are welcomed.

3 CONCLUSION

If you have any further questions in relation to this matter, please do not hesitate to contact me on 0488 200 229 and I would be happy to discuss.

Yours faithfully,

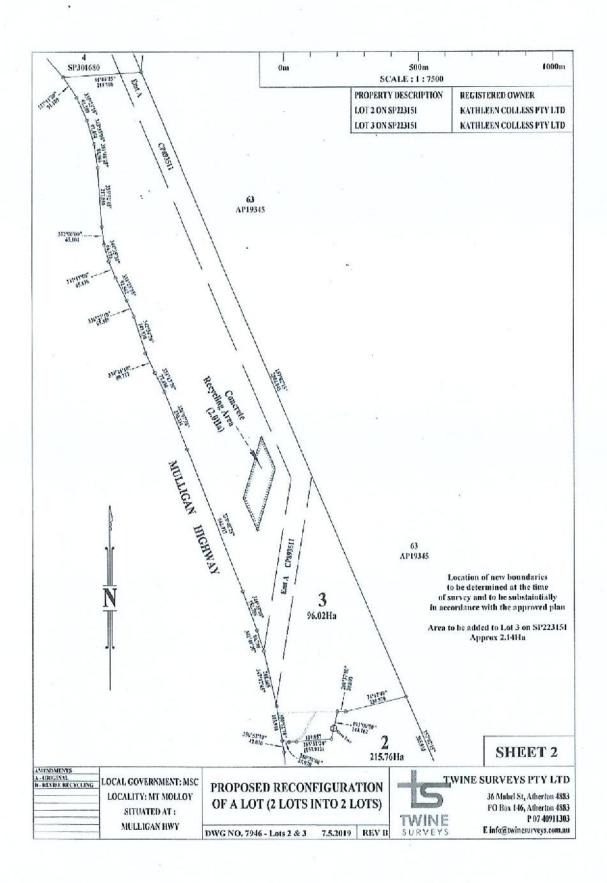
M. S. lypen

Matt Ingram

Senior Planner

E matti@urbansync.com.au | T 07 4051 6946 | M 0468 200 229

ATTACHMENT 1: SITE PLAN



ATTACHMENT 2: LIST OF MATERIALS

Available products will include:

- Recycled Crushed concrete road base materials for weatherproofing and resurfacing of property access roads;
- 50mm-300mm diameter recycled crushed concrete ballast products for trenches and road building;
- 3. Recycled maintenance gravel;
- 4. Recycled concrete drainage trench materials;
- 5. Concrete retaining wall blocks and slabs;
- 6. Concrete garden edging:
- 7. Septic Tank trench cover materials:
- 8. Solid concrete blocks and pavers:
- 9. Concrete steps and step-treads;
- 10. Red clay bricks and pavers;
- 11. Recycled concrete fence building materials;
- 12. Creek and causeway crossing slabs;
- 13. Road building and driveway slabs;
- 14. Dam building blocks and slabs:
- 15. Recycled concrete drainage pipes and culverts;
- 16. Concrete piles;
- 17. Concrete columns for erosion control barriers;
- 18. Cost-effective home construction materials;
- 19. Construction materials for BBQ's and Pizza Ovens;
- 20. Rural property concrete road closure barriers;
- 21. Concrete beams for footbridge crossings;
- 22. Concrete landscaping slabs;
- 23. Gabian Basket filling materials; and
- 24. Feature wall facing and pitching slabs.

The development will involve the re-use of recycled crushed concrete materials into other newly created/moulded products such as:

- Traffic control barriers and bollards;
- 2. Retaining wall blocks;
- 3. Decorative planter boxes;
- 4. Outdoor concrete tables and bench seats;
- 5. Concrete fence posts;
- 6. Temporary fence panel anchorage support blocks;
- 7. Memorial headstones and plaques;
- 8. Removable garden edges;
- Solid building blocks;
- 10. Concrete garden pavers;
- 11. Rectangular blocks for mounting air-conditioners; and
- 12. Garden statues, bird baths, fountains, features and ornaments.

Brian Millard

From:

Brian Millard

Sent:

Monday, 10 June 2019 3:09 PM

To:

'Justin Phipps'

Cc:

Matt Ingram (matt@urbansync.com.au)

Subject:

RE: Pre-lodgement request for a Concrete Recycling Yard

Follow Up Flag:

Flag Status:

Follow up Flagged

Hi Justin,

I hope to have a response out this week, ideally mid week.

The application fee will be \$6,145.00 if lodged on or before 30 June 2019. From the 1 July 2019 onwards, the fee will be \$6,300.00.

Regards

Brian Millard Senior Planner



Mareeba Phone: 1300 308 461 | Direct: 07 4086 4657 | Fax: 07 4092 3323 Email: brianm@msc.qld.gov.au | Website: www.msc.qld.gov.au 65 Rankin Street, Mareeba | PO Box 154, Mareeba, Queensland, Australia, 4880

From: Justin Phipps < Justin@urbansync.com.au> Sent: Monday, 10 June 2019 2:50 PM

To: Brian Millard < BrianM@msc.qld.gov.au> Cc: Matt Ingram <matt@urbansync.com.au>

Subject: FW: Pre-lodgement request for a Concrete Recycling Yard

Good afternoon Brian,

Just a quick update on the below email request for pre-lodgement advice in regard to the Concrete Recycling Yard at 3278 Mulligan Highway, Southedge, Mount Molloy.

We have recently been advised that two (2) sheds will be constructed on the site, both will be approximately 30m x 15m (450m² each) in size. Can you confirm that the application fees will be \$6,030.00.

Also, are you please able to provide us an ETA for Council to respond to our pre-lodgement request.



Thanks Carl.

Kind Regards

JUSTIN PHIPPS Town Planner

T 07 4051 6946

O Level 1, 17 Aplin Street, Cairns | M PO Box 2970, Cairns Q 4870

W www.urbansync.com.au

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You should rely on your own virus checking programs and procedures. If you have received this email in error, we apologise for the inconvenience and ask that you notify the sender so that this error may be corrected.

From: Justin Phipps

Sent: Thursday, 6 June 2019 8:26 AM
To: Brian Millard < Brian M@msc.gld.gov.au >

Cc: <u>CarlE@msc.qld.gov.au</u>; Matt Ingram <<u>matt@urbansvnc.com.au</u>>
Subject: Pre-lodgement request for a Concrete Recycling Yard

Good morning Brian/Carl,

Please find attached Urban Sync's request for pre-lodgement advice on behalf of Martin Anton (the Applicant) for a proposed development for a Material Change of Use for High Impact Industry (Concrete Recycling Yard) at 3278 Mulligan Highway, Mount Molloy (Lots 2 and 3 on SP223151).

Are you please able to provide an ETA for a response as we are looking at lodging this application as soon as possible.



Thank you.

Kind Regards

JUSTIN PHIPPS Town Planner

T 07 4051 6946

O Level I, 17 Aplin Street, Cairns | M PO Box 2970, Cairns Q 4870

W www.urbansync.com.au

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ATTACHMENT 5:

MSC CODE ASSESSMENT



31



Application

- (1) This code applies to assessing development where:
 - (a) Located in the Rural Zone; and
 - (b) It is identified in the assessment criteria column of an assessment table in Part 5 of the planning scheme.

Criteria for assessment

Table Error! No text of specified style in document. - Rural Zone Code - for Self-Assessable and Assessable Development

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT	
FOR SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT				
HEIGHT				
PO1 Building height takes into consideration and respects the following: (a) the height of existing buildings on adjoining premises; (b) the development potential, with respect to height,	AO1.1 Development, other than buildings used for rural activities, has a maximum building height of: (a) 8.5 metres; and (b) 2 storeys above ground level.	YES	All buildings and structures associated with the development will not exceed 6m in height.	
on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length.	AO1.2 Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height.	N/A	The development is not for a 'rural' activity (as defined in the Planning Scheme).	
SITING				
NOTE: WHERE FOR DWELLING HOUSE, THE SETBACKS OF THE	QUEENSLAND DEVELOPMENT CODE APPLY			





PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
PO2 Development is sited in a manner that considers and respects: (a) the siting and use of adjoining premises; (b) access to sunlight and daylight for the site and	AO2.1 Buildings and structures include a minimum setback of: (a) 40 metres from a frontage to a State-controlled road; and (b) 10 metres from a boundary to an adjoining lot.	YES	All buildings and structures associated with the development will be setback approximately 100m from the State-controlled Road.
adjoining sites; (c) privacy and overlooking; (d) air circulation and access to natural breezes; (e) appearance of building bulk; and (f) relationship with road corridors.	AO2.2 Buildings and structures, where for a Roadside stall, include a minimum setback of 0 metres from a frontage to a road that is not a State-controlled road.	N/A	The development does not involve a Roadside stall.
	Buildings and structures, except where a Roadside stall, include a minimum setback of: (a) 10 metres from a frontage to a sealed road that is not a State-controlled road; and (b) 100 metres from a frontage to any other road that is not a State-controlled road.	N/A	See AO2.1 above.
ACCOMMODATION DENSITY			
PO3 The density of Accommodation activities: (a) respects the nature and density of surrounding	AO3.1 Residential density does not exceed one dwelling house per lot.	N/A	The development does not involve any accommodation activities.
land use; (b) is complementary and subordinate to the rural and natural landscape values of the area; and (c) is commensurate to the scale and frontage of the site.	AO3.2 Residential density does not exceed two dwellings per lot and development is for: (a) a secondary dwelling; or	N/A	See AO3.1 above.





PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	 (b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m²; or (c) Rural worker's accommodation. 		
FOR ASSESSABLE DEVELOPMENT		-	
SITE COVER			
PO4 Buildings and structures occupy the site in a manner that: (a) makes efficient use of land; (b) is consistent with the bulk and scale of buildings in the surrounding area; and (c) appropriately balances built and natural features.	AO4.1 No acceptable outcome is provided.	YES	The development will include a site cover of less than 1% which is considered to be consistent with that expected in the rural zone. The development has also been positioned on-site between two ridges to ensure that it provides an appropriate balance between built form and natural features, as well as ensuring its visual impact can be suitably mitigated.
PO5 Development complements and integrates with the established built character of the Rural zone, having regard to: (a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and (d) window and door size and location.	AO5.1 No acceptable outcome is provided.	YES	As above (compliance can also be conditioned if considered necessary).
AMENITY			
PO6	AO6.1	YES	Please refer to section 7.2 of the Planning Report for a full assessment against the Performance Outcome.





PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
Development must not detract from the amenity of the local area, having regard to:	No acceptable outcome is provided.		
 (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. 			
PO7 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: (a) noise;	AO7.1 No acceptable outcome is provided.	N/A	We are of the view that there are no existing negative environmental impacts on-site and hence, this Performance Outcome is not considered applicable.
 (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. 			



Application

- (1) This code applies to assessing development where:
 - (a) Land the subject of development is located within a Bushfire Hazard Area and Potential Impact Buffer (100 metres) identified on the **Bushfire Hazard Overlay Maps (OM-003a-o)**; and
 - (b) It is identified in the assessment criteria column of an assessment table in Part 5 of the planning scheme.

Note: Natural hazards are appropriately reflected in Overlay Map 3, 6, and 8 and are required to be mapped by State Government in response to Hazard and Safety State Interests.

Criteria for assessment

Table 8.2.3.3 - Bushfire Hazard Overlay Code - for Self-Assessable and Assessable Development

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT		
FOR SELF-ASSESSABLE AND ASSESSABLE DEVELOPMEN	FOR SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT				
PO1 Development where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) maintains the safety of people and property by providing an adequate, accessible and reliable water supply for fire-fighting purposes which is safely located and has sufficient flow and pressure characteristics.	Where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) AO1.1 Where in a reticulated water service area, the on-site water supply has flow and pressure characteristics of 10 litres a second at 200 kPa. OR	N/A	See AO1.2 below.		
Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome. 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on Airport environs overlay map (OM-002f) .	Where access to the reticulated water network is not available, a minimum on site water storage of 5,000 litres is provided that must comprise: (a) a separate tank; or (b) a reserve section in the bottom part of the main water supply tank; or (c) a dam; or	YES	See section 5.4.1 of the Planning Report. Compliance can also be conditioned.		



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	(d) a swimming pool. Note—Where a water tank is provided for fire-fighting purposes it is fitted with standard rural fire brigade fittings and the tank is provided with a hardstand area for heavy vehicles.		





PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT	
FOR ASSESSABLE DEVELOPMENT				
LAND USE				
Development within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) is appropriate to the bushfire hazard risk having regard to the: (a) the bushfire risk compatibility of development; (b) the vulnerability of and safety risk to persons associated with the use; and (c) consequences of bushfire in regard to impacts on essential infrastructure, buildings and structures. Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.	AO2.1 All buildings, structures, infrastructure and facilities associated with the following uses are located outside any area of the site located within a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o): (a) child care centre; or (b) community care centre; or (c) correctional facility; or (d) educational establishment; or (e) emergency services; or (f) hospital; or (g) hostel; or (h) residential care facility; or (j) shopping centre; or (k) tourist park; or (l) tourist attraction.	N/A	The development does not involve any of the listed land uses.	
LOT DESIGN				
PO3 Reconfiguring a lot within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) minimises the potential adverse impacts of bushfire on the safety of	Where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) AO3.1 No new lots are created. OR	N/A	The development does not involve reconfiguring a lot.	



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
people, property and the environment through lot design that: (a) is responsive to the nature and extent of bushfire risk; and (b) allows efficient emergency access to buildings for fire-fighting appliances. Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.	All lots include a building envelope that achieves a radiant heat flux level of 29kW/m² at the permitter of the building envelope. Note—Where a radiant heat flux of 29kW/m² is achieved and this relies on cleared or maintained land external to the land the subject of the development application it must be demonstrated that land external to the site will be maintained to a standard that does not exceed the level of bushfire hazard identified in a Bushfire hazard management plan.	N/A	See AO3.2 above.
FIREBREAKS AND ACCESS			



O4 AO4.1 In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps	N/A	The development does not involve any new roads.
(OM-003a-o), vehicular access is designed to mitigate gainst bushfire hazard by: (a) with a maximum gradient of 12.5%; (b) to not use cul-de-sacs; and other emergency vehicles; (c) a constructed road width and weather standard complying with Planning Scheme Policy 4 - FNQROC Regional Development Manual.		
emergency situation, including alternative safe access routes should access in one direction be blocked in the event of a fire; and providing for the separation of developed areas and adjacent bushland. **Note—Where it is not practicable to provide firebreaks in accordance with A04.2 Fire Maintenance Trails are provided in accordance with the following: **Located as close as possible to the boundaries of the lot and the adjoining hazardous vegetation; the minimum cleared width not less than 2.5 metres; the formed width is not less than 2.5 metres; we hicular access is provided at both ends; passing bays and turning areas are provided for firefighting appliances located on public land. **AO4.2** In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), firebreaks are provided: (a) consisting of a perimeter road that separates lots from areas of bushfire hazard; (b) a minimum cleared width of 20 metre; (c) a maximum gradient of 12.5%; and (d) a constructed road width and weather standard complying with Planning Scheme Policy 4 - FNQROC Regional Development Manual. **Tote—A Bushfire hazard management plan must be prepared by witably qualified persons in seeking to demonstrate compliance with the Performance outcome.	YES	As vegetation clearing on the site is heavily restricted at a State level, it is intended that small firebreaks will be provided within the 2ha concrete recycling yard. The upgraded access from the property boundary to the concrete 2ha recycling yard will be of a sufficient standard to allow emergency entry and exit if required which will ensure compliance with the Performance Outcome.



Public safety and the environment are not adversely affected by the detrimental impacts of bushfire of hazardous materials manufactured or stored in bulk. Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome. A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome. A Bushfire hazard overlay maps (OM-003a-o). A O6.1 No acceptable outcome is provided. No acceptable outcome is provided. No acceptable outcome is provided. Note—Fost hollows and the associated grass kill facilitates a rapid curing of fuel and exacerbates bushfire hazard. Note—A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance	PERFORMANCE OUTCOMES A	ACCEPTABLE MEASURES	COMPLIES	COMMENT
PO6 Landscaping within a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) does not result in a material increase in the extent, duration or severity of bushfire hazard having regard to: (a) fire ecology; (b) slope of site; and (c) height and mix of plant species. Note—Frost hollows and the associated grass kill facilitates a rapid curing of fuel and exacerbates bushfire hazard. Note—A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance	Public safety and the environment are not adversely iffected by the detrimental impacts of bushfire of mazardous materials manufactured or stored in bulk. Believe— A Bushfire hazard management plan must be prepared by uitably qualified persons in seeking to demonstrate compliance	The processing or storage of dangerous goods or hazardous materials is not undertaken in a 'Bushfire hazard area' and a Potential impact buffer (100 metres)' identified on the	N/A	The development will not involve processing or storing dangerous goods or hazardous materials.
Landscaping within a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) does not result in a material increase in the extent, duration or severity of bushfire hazard having regard to: (a) fire ecology; (b) slope of site; and (c) height and mix of plant species. Note—Frost hollows and the associated grass kill facilitates a rapid curing of fuel and exacerbates bushfire hazard. Note—A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance	ANDSCAPING			
with the Ferjormance outcome.	andscaping within a 'Bushfire hazard area' and a 'Potential mpact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) does not result in a material increase in the extent, duration or severity of bushfire hazard having regard to: a) fire ecology; b) slope of site; and c) height and mix of plant species. Note—Frost hollows and the associated grass kill facilitates a rapid wring of fuel and exacerbates bushfire hazard.		N/A	No landscaping is proposed.



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
Infrastructure services located in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) are protected from damage or destruction in the event of a bushfire. Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.	AO7.1 The following infrastructure services are located below ground: (a) water supply; (b) sewer; (c) electricity; (d) gas; and (e) telecommunications	YES	Water storage, effluent disposal and electricity infrastructure will be located above ground, although can be provided with suitable setbacks to ensure damage is minimised during a bushfire.
PRIVATE DRIVEWAYS			
All premises located in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) are provided with vehicular access that enables safe evacuation for occupants and easy access by fire-fighting appliances. Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.	AO8.1 Private driveways: (a) do not exceed a length of 60 metres from the street frontage; (b) do not exceed a gradient of 12.5%; (c) have a minimum width of 3.5 metres; (d) have a minimum vertical clearance of 4.8 metres; (e) accommodate turning areas for fire-fighting appliances in accordance with the Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and (f) serve no more than three dwellings or buildings.	YES	The upgraded access from the property boundary to the concrete 2ha recycling yard will be of a sufficient standard to allow emergency entry and exit if required which will ensure compliance with the Performance Outcome.





Application

- (1) This code applies to assessing development where:
 - (a) Land the subject of development is affected by a constraint category identified on the Environmental significance Overlay Maps (OM-004a-z); and
 - (b) It is identified in the assessment criteria column of an assessment table in Part 5 of the planning scheme.

Note: Biodiversity and Water Quality are appropriately reflected in Overlay Map 4 and are required to be mapped by State Government in response to Environment and Heritage State Interests.

Criteria for assessment

Table 8.2.4.3A – Environmental Significance Overlay Code – for Self-Assessable and Assessable Development

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR SELF-ASSESSABLE AND ASSESSABLE DEVELOPMEN	іт		
REGULATED VEGETATION			
• • • • • • • • • • • • • • • • • • • •	AO1.1 No clearing of native vegetation is undertaken within areas of 'Regulated vegetation' identified on the Environmental Significance Overlay Maps (OM-004a-o).	N/A	No regulated vegetation (Council Mapping) is identified on the site.



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
Note—Refer to Ecological corridors identified on SFM001-009 in consideration of wildlife connectivity at a regional scale.			
PO2	AO2.1	N/A	See AO1.1 above.
 Development on sites adjacent to areas of 'Regulated vegetation' identified on the Environmental Significance Overlay Maps (OM-004a-o) protects the environmental significance of regulated vegetation and: (a) does not interrupt, interfere, alter or otherwise impact on underlying natural ecosystem processes such as water quality, hydrology, geomorphology and biophysical processes; (b) does not negatively impact the movement of wildlife at a local or regional scale; and (c) avoids noise, light, vibration or other edge affects, including weed and pest incursion on identified environmental values. Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports. Note—Refer to Ecological corridors identified on SFM001-009 in consideration of wildlife connectivity at a regional scale. 	Development (excluding roads, earthworks, drainage infrastructure and underground infrastructure) is not located within 20 metres of 'Regulated vegetation' areas identified on the Environmental Significance Overlay Maps (OM-004a-o).		
REGULATED VEGETATION INTERSECTING A WATERCO	URSE		
PO3 Vegetation clearing in areas mapped as 'Regulated vegetation intersecting a watercourse', identified as 'Waterway' and 'Waterway buffer' on the Environmental Significance - Waterway Overlay Maps (OM-004p-z) is avoided unless wildlife interconnectivity between habitats is maintained or enhanced at a local and regional scale, to	Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) AO3.1 A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a 'Waterway' identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z).	N/A	See AO1.1 above.



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
the extent that migration or normal movement of significant species between habitats or normal gene flow between populations is not inhibited. Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports. Note—Refer to Ecological corridors identified on SFM001-009 in consideration of wildlife connectivity at a regional scale.	AO3.2 No clearing of native vegetation is undertaken within the minimum setback identified at AO3.1.	N/A	See AO1.1 above.
WATERWAYS AND WETLANDS			
'High ecological significance wetlands' identified on the Environmental Significance Overlay Maps (OM-004a- o) and 'Waterways' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) and are protected by: (a) maintaining adequate separation distances between waterways/wetlands and development;	Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) AO4.1 A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a 'Waterway' identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z).	N/A	Pre-lodgement advice received from Council has identified that the stream order value of the waterway that traverses the site is 0. As Table 8.2.4.3B does not specify a setback from waterways with a stream order of 0, no specific setbacks are required, nor have they been provided.
 (b) maintaining and enhancing aquatic and terrestrial habitat including vegetated corridors to allow for native fauna (terrestrial and aquatic) movement; (c) maintaining waterway bank stability by minimising bank erosion and slumping; (d) maintaining water quality by providing buffers to allow filtering of sediments, nutrients and other pollutants; and 	Where within a 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o) AO4.2 A minimum buffer of 200 metres is provided between development and the edge of a 'High ecological significance wetland' identified on the Environmental Significance Overlay Maps (OM-004a-o).	N/A	The site is not affected by a wetland on the overlay map.



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
vegetation and existing vegetation associated with a wetland. Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.	Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o) AO4.3 No stormwater is discharged to a 'Waterway' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland' identified on the Environmental Significance Overlay Maps (OM-004a-o). Note— An alternative outcome is required to demonstrate that the ecological impacts of stormwater discharge to a 'Waterway' or 'High ecological significance wetland' are mitigated in accordance with PO3 through appropriate stormwater management / treatment (where possible).	YES	Stormwater will continue to be discharged from the site to the south, south-east, generally running parallel to the Mulligan Highway and via the existing drainage gullies and general sheet flow. Full details of the treatment methods will be included in the Environmental Management Plan to be prepared prior to the commencement of the use.
	Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o) AO4.4 No wastewater is discharged to a 'Waterway' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland' identified on the Environmental Significance Overlay Map (OM-004a-z). Note— A alternative outcome is required to demonstrate that the ecological impacts of wastewater discharge to a 'Waterway' or 'High ecological significance wetland' are mitigated in accordance with PO3 through appropriate wastewater management / treatment (where possible).	YES	All wastewater will be disposed of offsite.



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT			
FOR ASSESSABLE DEVELOPMENT						
WILDLIFE HABITAT						
PO5 Development within a 'Wildlife habitat' area identified on	AO5.1 No acceptable outcome is provided	N/A	The site is not affected by a wildlife habitat on the overlay map.			
the Environmental Significance Overlay Maps (OM- 004a-o): (a) protects and enhances the habitat of Endangered, Vulnerable and Near Threatened (EVNT) species and local species of significance; (b) incorporates siting and design measures to protect and retain identified ecological values and underlying ecosystem processes within or adjacent to the development site; (c) maintains or enhances wildlife interconnectivity at a local and regional scale; and (d) mitigates the impact of other forms of potential disturbance (such as presence of vehicles, pedestrian use, increased exposure to domestic animals, noise and lighting impacts) to protect critical life stage ecological processes (such as feeding, breeding or roosting).	ino acceptable outcome is provided					
Note—Development applications must identify any EVNT species or their habitats that may be affected by the proposal. In particular, applications are to identify and describe how the development avoids adverse impacts on ecological processes within or adjacent to the development area.						
Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.						



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
LEGALLY SECURED OFFSET AREAS			
PO6 Development within a 'Legally secured offset area' identified on the Environmental Significance Overlay Maps (OM-004a-o) or other known Legally Secured Offset Area is consistent with the binding requirements of the offset and does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and their habitat within the Legally Secured Offset Area. Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 — Ecological Assessment Reports.		N/A	The site is not located within a legally secured offset area.
PROTECTED AREAS	1		



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
PO7 Development within a 'Protected area' identified on the Environmental Significance Overlay Maps (OM-004a-o) is consistent with the values of the Protected Area and: (a) supports the inherent ecological and community values of the Protected Area asset; (b) maintains or enhances wildlife interconnectivity at a local and regional scale; and (c) does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and their habitat within the Protected Area. Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.	AO7.1 No acceptable outcome is provided	N/A	The site is not affected by a protected area on the overlay mapping.
ECOLOGICAL CORRIDORS AND HABITAT LINKAGES			
PO8 Development located: a) in the Conservation zone, Emerging community zone, Recreation and open space zone, Rural zone or Rural residential zone; and b) within an 'Ecological corridor' or a 'Habitat linkage' identified on the Environmental Significance Overlay Maps (OM-004a-o) does not compromise the provision of habitat connectivity of the corridor/linkage, having regard to:	AO8 No acceptable outcome is provided.	YES	The development is located within the Rural Zone and is within an ecological corridor. It is important to note that the site is located in between the Mulligan Highway to the west and a large cleared area used for high voltage powerlines to the east and south. Hence, the area adjacent to the 2ha concrete recycling yard is already highly fragmented. The ideal area for the preservation of habitat linkages is to the east of the high voltage power lines. Also worthy of note is that the development will result in only 2ha of 94ha of land on Lot 3 being cleared and that there are significant areas of vegetated lands to



PERFOR	RMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
accordan	the environmental values of the area of the site identified in the 'Ecological corridor' or 'Habitat linkage'; the environmental values of adjoining and nearby land within the 'Ecological corridor' or 'Habitat linkage'; the extent of any modification proposed to the natural environment including (but not limited to) vegetation and topography; the location and design of proposed improvements that may impact on the functions of the 'Ecological corridor' or 'Habitat linkage' including (but not limited to) buildings, structures, fences, lighting, vehicle movement areas and infrastructure services; and the ability for the 'Ecological corridor' or 'Habitat linkage' to be enhanced to improve ecological connectivity. A supporting Ecological Assessment Report prepared in ce with Planning Scheme Policy 2 – Ecological Assessment may be appropriate to demonstrate compliance with PO8.			the north, south and east of the 2ha concrete recycling yard that can continue to be used for ecological corridors. The development will also maintain an approximate 115m wide corridor between the 2ha concrete recycling yard and the Mulligan Highway and an approximate 60m wide corridor between the 2ha concrete recycling yard and the cleared area to the east that accommodates the high voltage powerlines. This will ensure that ecological corridors adjacent to the 2ha concrete recycling yard are still available for movement north and south. There also remains vegetation to the north and south of the 2ha concrete recycling yard of sufficient width to ensure ecological corridors are retained and permit movement east and west. We are of the view that this is sufficient to ensure compliance with the Performance Outcome.



8.2.9 Regional Infrastructure Corridors and Substations Overlay Code

Application

- (1) This code applies to assessing development where:
 - (a) Land the subject of development is affected by a constraint category identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d); and
 - (b) It is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

Note: Energy is appropriately reflected in Overlay Map 9 and is required to be mapped by State Government in response to Infrastructure State Interests.

Criteria for assessment

Table 8.2.12.3 - Regional infrastructure corridors and substations overlay code - For accepted development subject to requirements and assessable development

PERFORMANCE OU	TCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT			
FOR ACCEPTED DEV	FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS AND ASSESSABLE DEVELOPMENT						
WHERE ON LAND C	OMPRISING OR ADJOINING A STO	CK ROUTE					
route' infrastruc overlay m	tional efficiency and safety of a 'Stock	substations overlay maps (OM-009a-d):	YES	The development does not involve accommodation activities and will be set back greater than 20 metres from the identified stock route.			
		AO1.2 Any new access from a road servicing a 'Stock route' identified on the Regional infrastructure corridors and	N/A	Access to the site is existing.			



8.2.9 Regional Infrastructure Corridors and Substations Overlay Code

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	substations overlay maps (OM-009a-d) includes a gate or grid to prevent stock entry to premises.		
	AO1.3 Boundary fencing to prevent stock entry to premises is maintained along a 'Stock route' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d).	YES	Fencing will be provided around the 2ha concrete recycling yard, although as the remainder of the site will continue to be used for cattle grazing, no other fencing over and above that which exists at present will be provided.
WHERE ON LAND COMPRISING OR ADJOINING MAJOR	R ELECTRICITY INFRASTRUCTURE OR A SUBSTATION		
PO2 Development: (a) allow for the continued operation of the 'Major electricity infrastructure' or 'Substation' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d); and		N/A	The development will not involve forestry for wood production
(b) is located and designed to ensure a high quality of amenity is achieved for the use.	AO2.2 Buildings and structures are setback a minimum of 20 metres from 'Major electricity infrastructure' or a 'Substation' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d).	YES	Buildings and structures will be setback greater than 20 metres from the major electricity infrastructure.





Application

- (1) This code applies to assessing development where:
 - (a) Involving Industrial activities; and
 - (b) It is identified in the assessment criteria column of an assessment table in Part 5 of the planning scheme.

Criteria for assessment

Table 9.3.5.3 - Industrial Activities Code - for Self-Assessable and Assessable Development

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREM	MENTS AND ASSESSABLE DEVELOPMENT		
SEPARATION			
Industrial activities are appropriately separated from sensitive uses to ensure their amenity is maintained, having regard to: a) Noise; b) Odour; c) Light; and d) Emissions. Note: Development proposed to be located closer than the separation distances specified in AO2 requires supporting investigations to demonstrate that the expected impacts from the industry use have been adequately mitigated in consideration of the local context.	AO1.1 Development is separated from sensitive uses as follows: a) Medium or impact industry – 250 metres; or b) High impact industry – 500 metres; or c) Special industry – 1.5 kilometres.	YES	The development is separated from the nearest sensitive use by approximately 2.5km.



9.3.5 Industrial Activities Code

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT	
FOR ASSESSABLE DEVELOPMENT				
AMENITY				
PO2 Industrial activities protect and enhance the character and amenity of the locality and streetscape through the appropriate location and screening of: a) Air conditioning; b) Refrigeration plant; c) Mechanical plant; and d) Refuse bin storage areas.	AO2.1 No acceptable outcome is provided.	YES	The development will be positioned between two (2) ridges and when combined with existing vegetation on the site to be retained, is unlikely to be visible from the Mulligan Highway.	
PO3 Development avoids and, where unavoidable, mitigates impacts on ground water, particularly where ground water is heavily drawn upon for irrigation or domestic purposes.	AO3.1 No acceptable outcome is provided.	YES	Stormwater from the 2ha concrete recycling yard will be treated (swales or the like) before being discharged from the site to the south, south-east, generally running parallel to the Mulligan Highway and via the existing drainage gullies and general sheet flow. Full details of the treatment methods will be included in the Environmental Management Plan to be prepared prior to the commencement of the use.	
IF FOR EXTRACTIVE INDUSTRY				
PO4	AO4.1	N/A	The development does not involve extractive industry.	
The site has sufficient area and dimensions to safely accommodate:	No acceptable outcome is provided.			
a) The extractive use;				



9.3.5 Industrial Activities Code

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
 b) Vehicular access and on-site vehicular movements; c) Buildings including staff facilities; d) Parking areas for visitors and employees; e) Storage areas and stockpiles; f) Any environmentally significant land; and g) Landscaping and buffer areas. Note: Refer to Planning Scheme Policy 3 – Extractive Industry. 			
PO5	AO5.1	N/A	See AO4.1 above.
Extractive industry is established and operated in a way that does not impact on public safety.	Safety fencing is provided for the full length of the perimeter of the site and is appropriately signed with warning signs advising of the nature of the use and any danger or hazard.		
PO6	AO6.1	N/A	See AO4.1 above.
Extractive industry is appropriately located to adequately mitigate visual, noise, vibration and dust impacts on sensitive uses.	All aspects of the Extractive industry are setback from all boundaries: a) 200 metres where not involving blasting or crushing; and b) 1,000 metres for where involving blasting or crushing. Note: Refer to Planning Scheme Policy 3 – Extractive industry.		
PO7	AO7.1	N/A	See AO4.1 above.
The Extractive industry is designed and managed to appropriately address its interface with the natural environment and landscape, having regard to:	The Extractive industry does not cause a reduction in the quality of ground water or receiving surface waters.		
a) Water quality; b) Existing vegetation; and	AO7.2	N/A	See AO4.1 above.



9.3.5 Industrial Activities Code

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
c) Declared plants.	Vegetation is retained on site that contributes towards alleviating the impact of the development on the visual amenity of surrounding sensitive land uses.		
	AO7.3 No declared plants are transported from the site.	N/A	See AO4.1 above.
PO8	AO8.1	N/A	See AO4.1 above.
Extractive industry actively integrates rehabilitation into the ongoing operations on the site to progressively restore the site to its original (or an improved) condition, having regard to matters of: a) Locally prevalent plant species; b) Plant spacing; c) Local climatic conditions; d) Locations of waterways and wetlands; e) Ongoing maintenance; f) Potential habitat opportunities; g) Erosion and sediment control; and h) Fencing. Note: A revegetation plan must be prepared by a suitably experienced person in the field of natural area revegetation and rehabilitation, at a standard acceptable to Council, which addresses the items identified in Performance Outcome PO8.			





Application

This code applies where it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the Planning Scheme.

Criteria for assessment

Table 9.4.2.3A – Landscaping Code – For accepted development subject to requirements and assessable development

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
OR ACCEPTED DEVELOPMENT SUBJECT TO REQUIRE	MENTS AND ASSESSMENT DEVELOPMENT		
Development, other than in the Rural zone, includes andscaping that: a) contributes to the landscape character of the Shire; b) compliments the character of the immediate surrounds; c) provides an appropriate balance between built and natural elements; and d) provides a source of visual interest.	AO1.1 Development, other than in the Rural zone, provides: (a) a minimum of 10% of the site as landscaping; (b) planting in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species; (c) for the integration of retained significant vegetation into landscaping areas; (d) on-street landscaping works in accordance with the Design Guidelines set out in Section D9 Landscaping, of the Planning Scheme Policy 4 - FNQROC Regional Development Manual. Note—Where development exceeds a site cover of 90%, areas of landscaping may be provided above ground level to achieve a total supply of landscaping equivalent to 10% of the site area.	N/A	The development is located within the Rural zone.



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
PO2 Development, other than in the Rural zone, includes landscaping along site frontages that: (a) creates an attractive streetscape; (b) compliments the character of the immediate surrounds; (c) assists to break up and soften elements of built form; (d) screen areas of limited visual interest or servicing; (e) provide shade for pedestrians; and (f) includes a range and variety of planting.	Development, other than in the Rural zone, includes a landscape strip along any site frontage: (a) with a minimum width of 2 metres where adjoining a car parking area; (b) with a minimum width of 1.5 metres in all other locations; and (c) in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species. Note—Where development is setback from a frontage less than 1.5 metres, the setback area is provided as a landscape strip.	N/A	The development is located within the Rural Zone.
PO3 Development includes landscaping and fencing alongside and rear boundaries that: (a) screens and buffer land uses;	AO3.1 Development provides landscape treatments alongside and rear boundaries in accordance with Table 9.4.2.3B.	ALTERNATE SOLUTION	No landscaping is proposed. We are of the view that the existing vegetation to be retained along all site boundaries is sufficient to ensure compliance with the points listed in the Performance Outcome.
 (b) assists to break up and soften elements of built form; (c) screens areas of limited visual interest; (d) preserves the amenity of sensitive land uses; and (e) includes a range and variety of planting. 	AO3.2 Shrubs and trees provided in landscape strips alongside and rear boundaries: (a) are planted at a maximum spacing of 1 metre; (b) will grow to a height of at least 2 metres; (c) will grow to form a screen of no less than 2 metres in height; and (d) are mulched to a minimum depth of 0.1 metres with organic mulch.	N/A	See AO3.1 above.



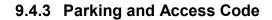
PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
PO4	AO3.3 Any landscape strip provided along a side or rear boundary is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species. AO4.1	N/A N/A	See AO3.1 above. See AO3.1 above.
Car parking areas are improved with a variety of landscaping that: (a) provides visual interest; (b) provides a source of shade for pedestrians; (c) assists to break up and soften elements; and (d) improves legibility.	 Landscaping is provided in car parking areas which provides: (a) a minimum of 1 shade tree for every 4 parking spaces, or part thereof, where the car parking area includes 12 or more spaces; (b) a minimum of 1 shade tree for every 6 parking spaces, or part thereof, otherwise; and (c) where involving a car parking area in excess of 500m²: (i) shade structures are provided for 50% of parking spaces; and (ii) a minimum of 10% of the parking area as landscaping. Note—Where a shade structure is provided over part of a car parking area, shade tree planting is not required in this area of the car parking area. 		
	AO4.2 Landscaping in car parking areas is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.	N/A	See AO3.1 above.



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
PO5 Landscaping areas include a range and variety of planting that: (a) is suitable for the intended purpose and local	AO5.1 Plant species are selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species	N/A	See AO3.1 above.
conditions; (b) contributes to the natural character of the Shire; (c) includes native species; (d) includes locally endemic species, where practical; and (e) does not include invasive plants or weeds.	AO5.2 A minimum of 25% of (new and existing) plants is provided as larger, advanced stock with a minimum plant height of 0.7 metres and mulched to a minimum depth of 0.1 metres with organic mulch.	N/A	See AO3.1 above.
PO6 Landscaping does not impact on the ongoing provision of infrastructure and services to the Shire.	AO6.1 Tree planting is a minimum of (a) 2 metres from any underground water, sewer, gas, electricity or telecommunications infrastructure; and (b) 4 metres from any inspection chamber.	N/A	See AO3.1 above.
	AO6.2 Vegetation below or within 4 metres of overhead electricity lines and power poles has a maximum height of 3.5 metres at maturity.	N/A	See AO3.1 above.
	Vegetation adjoining an electricity substation boundary, at maturity, will have: (a) a height of less than 4 metres; and (b) no foliage within 3 metres of the substation boundary, unless the substation has a solid wall along any boundary.	N/A	See AO3.1 above.



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR ASSESSABLE DEVELOPMENT			
PO7	A07	N/A	See AO3.1 above.
Landscaping areas are designed to:	No acceptable outcome is provided.		
 (a) be easily maintained throughout the ongoing use of the site; (b) allow sufficient area and access to sunlight and water for plant growth; (c) not cause a nuisance to occupants of the site or members of the public; and (d) maintain or enhance the safety of pedestrians through the use of Crime Prevention Through Environmental Design principles. 			





Application

This code applies to assessing development where it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the Planning Scheme.

Criteria for assessment

	Table 9.4.3.3A – Parking and Access Code – For accepto	ted development subject to	requirements and assessable development
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PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREM	IENTS AND ASSESSABLE DEVELOPMENT		
CAR PARKING SPACES			
Development provides sufficient car parking to accommodate the demand likely to be generated by the use, having regard to the: (a) nature of the use; (b) location of the site; (c) proximity of the use to public transport services; (d) availability of active transport infrastructure; and (e) accessibility of the use to all members of the community.		YES	The proposed development will have a maximum of six (6) staff on-site at any one time and will not be open to the general public. Car parking for all staff will be provided within the proposed sheds. As a result, the development will provide a sufficient number of ca parking spaces to accommodate the demand being generated and in turn, complies with the performance outcome.
VEHICLE CROSSOVERS	1021	N/A	The site days and short a Council wood
Vehicle crossovers are provided to: (a) ensure safe and efficient access between the road and premises;	AO2.1 Vehicular access to/from Council roads is designed and constructed in accordance with the Standard drawings in Planning Scheme Policy 4 - FNQROC Regional Development Manual.	N/A	The site does not abut a Council road.



9.4.3 Parking and Access Code

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
(b) minimize interference with the function and operation of roads; and(c) minimise pedestrian to vehicle conflict.	Development on a site with two or more road frontages provides vehicular access from: (a) the primary frontage where involving Community activities or Sport and recreation activities, unless the primary road frontage is a State-controlled road; or (b) from the lowest order road in all other instances.	N/A	See AO2.1 above.
	AO2.3 Vehicular access for particular uses is provided in accordance with Table 9.4.3.3E.	N/A	See AO2.1 above.
PO3 Access, maneuvering and car parking areas include appropriate pavement treatments having regard to: (a) the intensity of anticipated vehicle movements; (b) the nature of the use that they service; and (c) the character of the surrounding locality.	AO3.1 Access, maneuvering and car parking areas include pavements that are constructed in accordance with Table 9.4.3.3C .		The development will ensure that access, manoeuvring and car parking areas include compacted gravel and/or other similar forms of material i.e., road base to ensure compliance with Table 9.4.3.3C.
FOR ASSESSABLE DEVELOPMENT			
PARKING AREA LOCATION AND DESIGN			
PO4 Car parking areas are located and designed to: (a) ensure safety and efficiency in operation; and	AO4.1 Car parking spaces, access and circulation areas have dimensions in accordance with AS/NZS 2890.1 Off-street car parking.	N/A	No formal car parking spaces are being proposed and ample room within the proposed sheds will be provided for access and manoeuvring.



9.4.3 Parking and Access Code

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
(b) be consistent with the character of the surrounding locality.	AO4.2 Disabled access and car parking spaces are located and designed in accordance with AS/NZS 2890.6 Parking facilities - Off-street parking for people with disabilities.	N/A	No formal car parking spaces are being proposed and as a result, no disabled car parking spaces are to be provided.
	AO4.3 The car parking area includes designated pedestrian routes that provide connections to building entrances.	N/A	No formal car parking spaces are being proposed.
	Parking and any set down areas are: (a) wholly contained within the site; (b) visible from the street where involving Commercial activities, Community activities, Industrial activities or a use in the Recreation and open space zone; (c) are set back behind the main building line where involving a Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility; and (d) provided at the side or rear of a building in all other instances.	YES	All set down areas will be provided for on-site and be suitably signed so they can be easily found.
SITE ACCESS AND MANOEUVRING			
PO5 Access to, and manoeuvring within, the site is desand located to: (a) ensure the safety and efficiency of the extern road network; (b) ensure the safety of pedestrians; (c) provide a functional and convenient layout; a	 (a) AS28901 – Car Parking Facilities (Off Street Parking); and (b) AS2890.2 – Parking Facilities (Off-street Parking) Commercial Vehicle Facilities. 	YES	Due to the size of the 2ha recycling yard, there will be more than ample room for manoeuvring and hence, compliance with the listed standards is not considered necessary in this instance. Compliance can however, be conditioned if considered necessary by Council.



9.4.3 Parking and Access Code

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
(d) accommodate all vehicles intended to use the site.	Note—Proposal plans should include turning circles designed in accordance with AP34/95 (Austroads 1995) Design Vehicles and Turning Path Templates.		
	AO5.2 Vehicular access has a minimum sight distance in accordance with Part 5 of AUSTROADS.	YES	Vehicular access sight distance will be assessed by the Department of Transport and Main Roads in their referral response.
	AO5.3 Vehicular access is located and designed so that all vehicles enter and exit the site in a forward gear.	YES	All vehicles will be able to enter and exit the site in a forward gear.
	Pedestrian and cyclist access to the site: (a) is clearly defined; (b) easily identifiable; and (c) provides a connection between the site frontage and the entrance to buildings and end of trip facilities (where provided).	YES	Access to the site will be clearly defined and easily identifiable (likely via signage).
PO6 Development that involves an internal road network ensures that it's design: (a) ensure safety and efficiency in operation;	AO6.1 Internal roads for a Tourist park have a minimum width of: (a) 4 metres if one way; or (b) 6 metres if two way.	N/A	The development will not involve a Tourist Park.
 (b) does not impact on the amenity of residential uses on the site and on adjoining sites, having regard to matters of: (i) hours of operation; (ii) noise 	AO6.2 For a Tourist park, internal road design avoids the use of culde-sacs in favour of circulating roads, where unavoidable,	N/A	See AO6.1 above.



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
(iii) light; and (iv) odour; (c) accommodates the nature and volume of vehicle movements anticipated to be generated by the use; (d) allows for convenient access to key on-site	cul-de-sacs provide a full turning circle for vehicles towing caravans having: (a) a minimum approach and departure curve radius of 12 metres; and (b) a minimum turning circle radius of 8 metres.		
features by pedestrians, cyclists and motor vehicles; and (e) in the Rural zone, avoids environmental degradation.	AO6.3 Internal roads are imperviously sealed and drained, apart from those for an Energy and infrastructure activity or Rural activity.	YES	Internal roads are existing; however, the applicant proposes to upgrade all internal roads and maintain and grade them with suitable gravel and road base materials.
	AO6.4 Speed control devices are installed along all internal roads, apart from those for an Energy and infrastructure activity or Rural activity, in accordance with Complete Streets.	N/A	The development will not involve speed control devices as the development will not be open to the public and there will be a very small amount of vehicle traffic onsite each day.
	AO6.5 Internal roads, apart from those for an Energy and infrastructure activity or Rural activity, are illuminated in accordance with AS 4282 (as amended) - Control of Obtrusive effects of outdoor lighting.	N/A	We would consider it reasonable to illuminate the internal roads as the site will not be accessible at night.
	AO6.6 Where involving an accommodation activity, internal roads facilitate unobstructed access to every dwelling, accommodation unit, accommodation site and building by emergency services vehicles.	N/A	The development will not involve an accommodation activity.



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	AO6.7 For an Energy and infrastructure activity or Rural activity, internal road gradients: (a) are no steeper than 1:5; or (b) are steeper than 1:5 and are sealed.	N/A	The development does not involve either of the listed uses.
SERVICING			
PO7 Development provides access, maneuvering and servicing areas on site that: (a) accommodate a service vehicle commensurate with the likely demand generated by the use; (b) do not impact on the safety or efficiency of internal car parking or maneuvering areas; (c) do not adversely impact on the safety or efficiency	AO7.1 All unloading, loading, service and waste disposal areas are located: (a) on the site; (b) to the side or rear of the building, behind the main building line; (c) not adjacent to a site boundary where the adjoining property is used for a sensitive use.	YES	The site provides ample room for unloading, loading, service and waste disposal areas entirely on site. Council can condition further compliance if necessary.
of the road network; (d) provide for all servicing functions associated with the use; and (e) are located and designed to minimise their impacts on adjoining sensitive land uses and streetscape quality.	AO7.2 Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear. AO7.3	YES	All vehicles will be able to enter and exit the site in a forward gear. The site and development will be able to accommodate a Heavy Rigid Vehicle which is the largest size vehicles
MAINTENANCE	Development provides a servicing area, site access and maneuvering areas to accommodate the applicable minimum servicing vehicle specified in Table 9.4.3.3B .		needed to access the site. This ensures compliance with the Performance Outcome.



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
PO8 Parking areas are used and maintained for their intended purpose.	AO8.1 Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking and circulation of vehicles.	N/A	No formal car parking spaces are being proposed and ample room within the proposed sheds will be provided for access and manoeuvring.
	AO8.2 All parking areas will be compacted, sealed, drained, line marked and maintained until such time as the development ceases.	YES	See A08.1 above.
END OF TRIP FACILITIES			
PO9 Development within the Centre zone; Industry zone or Emerging community zone provides facilities for active transport users that:		N/A	The development is not required to provide end of trip facilities or bicycle parking spaces in accordance with Table 9.4.3.3D.
 (a) meet the anticipated demand generated from the use; (b) comprise secure and convenient bicycle parking and storage; and (c) provide end of trip facilities for all active transport users. 	AO9.2 End of trip facilities are provided in accordance with Table 9.4.3.3D.	N/A	See AO9.1 above.
IF FOR EDUCATIONAL ESTABLISHMENT OR CHILD CAR AND RECREATION ACTIVITIES, OR TOURIST PARK.	E CENTRE WHERE INVOLVING MORE THAN 100 VEHICLE N	MOVEMENTS	PER DAY OR RENEWABLE ENERGY FACILITY, SPORT
P10 The level of traffic generated by the development on the surrounding local road network must not result in	AO10.1 A traffic impact report is prepared by a suitably qualified person that identifies: (a) the expected traffic movements to be generated by the facility;	N/A	The development will not involve any of the listed uses.



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT			
unacceptable impacts on adjacent land and local road users.	(b) any associated impacts on the road network; and(c) any works that will be required to address the identified impacts.					
IF FOR EDUCATIONAL ESTABLISHMENT OR CHILD CARE CENTRE WHERE INVOLVING MORE THAN 100 VEHICLE MOVEMENTS PER DAY OR RENEWABLE ENERGY FACILITY, SPORT AND RECREATION ACTIVITIES, OR TOURIST PARK.						
PO11	AO11.1	N/A	See AO10.1 above.			
The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.	•					





Application

This code applies to assessing development where it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the Planning Scheme.

Criteria for assessment

Table 9.4.5.3 – Works, services and infrastructure code – For accepted development subject to requirements and assessable development

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT		
FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS AND ASSESSABLE DEVELOPMENT					
WATER SUPPLY					
PO1	AO1.1	N/A	See AO1.2 below.		
Each lot has an adequate volume and supply of water that: (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment.	Development is connected to a reticulated water supply system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated water supply service area.				



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	AO1.2 Development, where located outside a reticulated water supply service area and in the Conservation zone, Rural zone or Rural residential zone is provided with: (a) a bore or bores are provided in accordance	YES	See section 5.4.1 of the Planning Report.
	with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or (b) on-site water storage tank/s: (i) with a minimum capacity of 90,000L; (ii) fitted with a 50mm ball valve with a camlock fitting; and (iii) which are installed and connected prior to the occupation or use of the development.		
WASTEWATER DISPOSAL	1001	NI/A	C., AO22 k.l.
Each lot provides for the treatment and disposal of effluent and other waste water that: (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment.	AO2.1 Development is connected to a reticulated sewerage system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area.	N/A	See AO2.2 below.
	AO2.2 An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater	YES	See section 5.4.2 of the Planning Report.



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
STORMWATER INFRASTRUCTURE	Management (as amended) where development is located: (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area.		
PO3 Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner that mitigates impacts on life and property.	Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual. AO3.2 On-site drainage systems are constructed: (a) to convey stormwater from the premises to a lawful point of discharge; and (b) in accordance with the Design Guidelines and Specifications set out in the Planning Scheme	N/A YES	See AO3.2 below. See section 5.4.4 of the Planning Report.
ELECTRICITY SUPPLY	Policy 4 – FNQROC Regional Development Manual.		
PO4 Each lot is provided with an adequate supply of electricity	AO4 The premises: (a) is connected to the electricity supply network; or	YES	The development will be connected to the electricity supply network at some time in the future. However, as the development is not dependent on this connection, solar and battery packs will be utilised in the interim.



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
TELECOMMUNICATIONS INFRASTRUCTURE	 (b) has arranged a connection to the transmission grid; or (c) where not connected to the network, an independent energy system with sufficient capacity to service the development (at near average energy demands associated with the use) may be provided as an alternative to reticulated electricity where: (i) it is approved by the relevant regulatory authority; and (ii) it can be demonstrated that no air or noise emissions; and (iii) it can be demonstrated that no adverse impact on visual amenity will occur. 		
PO5 Each lot is provided with an adequate supply of telecommunication infrastructure	AO5 Development is provided with a connection to the national broadband network or telecommunication services.	YES	The site is not connected to telecommunications infrastructure. The site does however, have mobile coverage and hence, mobile phones will be used for all telecommunications needs associated with the development.
EXISTING PUBLIC UTILITY SERVICES			
PO6	AO6	N/A	No public utility mains will need to be
Development and associated works do not affect the efficient functioning of public utility mains, services or installations.	Public utility mains, services are relocated, altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.		relocated/altered etc.



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
EXCAVATION OR FILLING			
PO7 Excavation or filling must not have an adverse impact on the:	AO7.1 Excavation or filling does not occur within 1.5 metres of any site boundary.	N/A	No excavation or filling is proposed.
 (a) streetscape; (b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or (f) privacy of adjoining premises. 	AO7.2 Excavation or filling at any point on a lot is to be no greater than 1.5 metres above or below natural ground level.	N/A	See AO7.1 above.
	AO7.3 Earthworks batters: (a) are no greater than 1.5 metres in height; (b) are stepped with a minimum width 2 metre berm; (c) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on any one lot; (d) have a slope no greater than 1 in 4; and (e) are retained.	N/A	See AO7.1 above.
	AO7.4 Soil used for filling or spoil from excavation is not stockpiled in locations that can be viewed from: (a) adjoining premises; or (b) a road frontage, for a period exceeding 1 month from the commencement of the filling or excavation.	N/A	See AO7.1 above.



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	AO7.5 All batters and berms to be constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	N/A	See AO7.1 above.
	AO7.6 Retaining walls have a maximum height of 1.5 metres and are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	N/A	See AO7.1 above.
	Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	N/A	See AO7.1 above.
FOR ASSESSABLE DEVELOPMENT			
TRANSPORT NETWORK			
PO8	AO8.1	N/A	The sites fronts a State-controlled Road.
The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists.	Vehicle access, crossovers, road geometry, pavement, utilities and landscaping to the frontage/s of the site are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning		



PERF	ORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
		Scheme Policy 4 – FNQROC Regional Development manual.		
		AO8.2	N/A	As above.
		Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.		
PUBL	IC INFRASTRUCTURE			
infras effect	design, construction and provision of any tructure that is to be dedicated to Council is cost cive over its life cycle and incorporates provisions nimise adverse impacts.	AO9 Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	N/A	The development will not involve public infrastructure.
STOR	MWATER QUALITY			
PO10)	AO10.1	YES	See section 5.4.5 of the Planning Report.
	lopment has a non-worsening effect on the site urrounding land and is designed to:	The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals:		
(a) (b) (c)	optimise the interception, retention and removal of waterborne pollutants, prior to the discharge to receiving waters; protect the environmental values of waterbodies affected by the development, including upstream, on-site and downstream waterbodies; achieve specified water quality objectives;	 (a) a Stormwater Management Plan and Report that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; and (b) an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation 		



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
 (d) minimise flooding; (e) maximise the use of natural channel design principles; (f) maximise community benefit; and (g) minimise risk to public safety. 	Control Guidelines (Institute of Engineers Australia), including: (i) drainage control; (ii) erosion control; (iii) sediment control; and (iv) water quality outcomes.		
	For development on land greater than 2,500m² or that result in more than 5 lots or more than 5 dwellings or accommodation units, a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) is prepared that demonstrates that the development: (a) meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline; (b) is consistent with any local area stormwater water management planning; (c) accounts for development type, construction phase, local climatic conditions and design objectives; and (d) provides for stormwater quality treatment measures reflecting land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, acid sulfate soil and rainfall erosivity.	YES	See AO101. Above.



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
PO11 Storage areas for stormwater detention and retention: (a) protect or enhance the environmental values of receiving waters; (b) achieve specified water quality objectives; (c) where possible, provide for recreational use; (d) maximise community benefit; and (e) minimise risk to public safety.	AO11 No acceptable outcome is provided.	N/A	No stormwater detention or retention basins are proposed.
EXCAVATION OR FILLING			
PO12 Traffic generated by filling or excavation does not impact on the amenity of the surrounding area.	AO12.1 Haul routes used for transportation of fill to or from the site only use major roads and avoid residential areas.	N/A	The development will not involve excavation or filling.
	AO12.2 Transportation of fill to or from the site does not occur: (a) within peak traffic times; and (b) before 7am or after 6pm Monday to Friday; (c) before 7am or after 1pm Saturdays; and (d) on Sundays or Public Holidays.	N/A	See AO12.1 above.
PO13 Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.		N/A	See AO12.1 above.



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	AO13.2 No other air pollutants, including odours, are detectable at the boundary of the site.	N/A	See AO12.1 above.
	AO13.3 A management plan for control of dust and air pollutants is prepared and implemented.	N/A	See AO12.1 above.
PO14 Access to the premises (including driveways and paths) does not have an adverse impact on: (a) safety; (b) drainage; (c) visual amenity; and (d) privacy of adjoining premises.	ACCESS to the premises (including all works associated with the access): (a) must follow as close as possible to the existing contours; (b) be contained within the premises and not the road reserve, and (c) are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	N/A	See AO12.1 above.
WEED AND PEST MANAGEMENT			
PO15 Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas.	AO15 No acceptable outcome is provided.	YES	Compliance can be conditioned.
CONTAMINATED LAND			



PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT	
PO16 Development is located and designed to ensure that users and nearby sensitive land uses are not exposed to unacceptable levels of contaminants	AO16 Development is located where: (a) soils are not contaminated by pollutants which represent a health or safety risk to users; or (b) contaminated soils are remediated prior to plan sealing, operational works permit, or issuing of building works permit.	N/A	To the best of urban Sync's knowledge, the site is not located on the contaminated land register.	
FIRE SERVICES IN DEVELOPMENTS ACCESSED BY CO	FIRE SERVICES IN DEVELOPMENTS ACCESSED BY COMMON PRIVATE TITLE			
PO17 Fire hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	AO17.1 Fire hydrants are located in accessways or private roads held in common private title at a maximum spacing of: (a) 120 metres for residential development; and (b) 90 metres for any other development.	N/A	The development will not involve common private title.	
	AO17.2 Fire hydrants are located at all intersections of accessways or private roads held in common private title.	N/A	See AO17.1 above.	

ATTACHMENT 6: SDAP CODE



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State code 1: Development in a state-controlled road environment

Table 1.2.1: Development in a state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
Buildings and structures		
PO1 The location of buildings, structures, infrastructure, services and utilities does not create a safety hazard in a state-controlled road, or cause damage to, or obstruct road transport infrastructure.	AO1.1 Buildings, structures, infrastructure, services and utilities are not located in a state-controlled road. AND	Complies with AO1.1 The development will not have any buildings, structures, infrastructure, services or utilities located in a State-controlled Road.
	AO1.2 Buildings, structures, infrastructure, services and utilities can be maintained without requiring access to a state-controlled road.	Complies with AO1.2 Any buildings, structures, infrastructure, services or utilities associated with the development are able to be maintained without requiring access to a Statecontrolled Road.
PO2 The design and construction of buildings and structures does not create a safety hazard by distracting users of a state-controlled road.	AO2.1 Facades of buildings and structures facing a state-controlled road are made of non-reflective materials. OR	Complies with AO1.2 Compliance can be conditioned.
	AO2.2 Facades of buildings and structures do not reflect point light sources into the face of oncoming traffic on a state-controlled road. AND	Complies with AO2.2 See AO2.1 above.
	AO2.3 External lighting of buildings and structures is not directed into the face of oncoming traffic on a state-controlled road and does not involve flashing or laser lights. AND	Complies with AO3.2 See AO2.3 above.

Performance outcomes	Acceptable outcomes	Response
	AO2.4 Advertising devices visible from a state-controlled road are located and designed in accordance with the Roadside Advertising Guide, 2 nd Edition, Department of Transport and Main Roads, 2017.	N/A The development does not include any advertising devices.
PO3 Road, pedestrian and bikeway bridges over a state-controlled road are designed and constructed to prevent projectiles from being thrown onto a state-controlled road.	AO3.1 Road, pedestrian and bikeway bridges over a state-controlled road include throw protection screens in accordance with section 4.9.3 of the Design Criteria for Bridges and Other Structures Manual, Department of Transport and Main Roads, 2018.	N/A The development does not involve a road, pedestrian or bikeway bridge.
Filling, excavation and retaining structures		
PO4 Filling and excavation does not interfere with, or result in damage to, infrastructure or services in a state-controlled road. Note: Information on the location of services and public utility plants in a state-controlled road can be obtained from the Dial Before You Dig service. Where development will impact on an existing or future service or public utility plant in a state-controlled road such that the service or public utility plant will need to be relocated, the alternative alignment must comply with the standards and design specifications of the relevant service or public utility provider, and any costs of relocation are to be borne by the developer. Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	No acceptable outcome is prescribed.	Complies with PO4 The development will require some general smoothing and shaping of the lot only. This minor amount of earthworks will not result in any damage to infrastructure or services in the State-controlled Road.
PO5 Filling, excavation, building foundations and retaining structures do not undermine, or cause subsidence of, a state-controlled road. Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with the Road Planning and Design	No acceptable outcome is prescribed.	Complies with PO5 See PO4 above.

Performance outcomes	Acceptable outcomes	Response
Manual 2 nd Edition: Volume 3, Department of Transport and Main Roads, 2016, is provided.		
Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.		
PO6 Filling, excavation, building foundations and retaining structures do not cause ground water disturbance in a state-controlled road.	No acceptable outcome is prescribed.	Complies with PO6 See PO4 above.
Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with the Road Planning and Design manual 2 nd Edition: Volume 3, Department of Transport and Main Roads, 2016, is provided.		
Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.		
PO7 Excavation, boring, piling, blasting or fill compaction during construction of a development does not result in ground movement or vibration impacts that would cause damage or nuisance to a state-controlled road, road transport infrastructure or road works.	No acceptable outcome is prescribed.	Complies with PO7 See PO4 above.
Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with Road Planning and Design Manual 2 nd Edition: Volume 3, Department of Transport and Main Roads, 2016, is provided.		
Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.		

Performance outcomes	Acceptable outcomes	Response
PO8 Development involving the haulage of fill, extracted material or excavated spoil material exceeding 10,000 tonnes per year does not damage the pavement of a state-controlled road.	AO8.1 Fill, extracted material and spoil material is not transported to or from the development site on a state-controlled road.	Complies with PO8 See PO4 above.
Note: It is recommended a pavement impact assessment is provided.		
Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, and the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a pavement impact assessment.		
PO9 Filling and excavation associated with the construction of vehicular access to a development does not compromise the operation or capacity of existing drainage infrastructure for a state-controlled road.	No acceptable outcome is prescribed.	Complies with PO9 See PO4 above.
Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.		
PO10 Fill material used on a development site does not result in contamination of a state-controlled road.	AO10.1 Fill material is free of contaminants including acid sulfate content.	Complies with AO10.1 Compliance can be conditioned.
Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	Note: Soils and rocks should be tested in accordance with AS 1289.0 – Methods of testing soils for engineering purposes and AS 4133.0-2005 – Methods of testing rocks for engineering purposes.	
	AND AND AND Composition of fill is corried out in	Complice with AO40 2
	AO10.2 Compaction of fill is carried out in accordance with the requirements of AS 1289.0 2000 – Methods of testing soils for engineering purposes.	Complies with AO10.2 See AO10.1 above.

Performance outcomes	Acceptable outcomes	Response
PO11 Filling and excavation does not cause wind- blown dust nuisance in a state-controlled road. Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance	AO11.1 Compaction of fill is carried out in accordance with the requirements of AS 1289.0 2000 – Methods of testing soils for engineering purposes. AND	Complies with AO11.1 See AO10.1 above.
outcome.	AO11.2 Dust suppression measures are used during filling and excavation activities such as wind breaks or barriers and dampening of ground surfaces.	Complies with AO11.2 See AO10.1 above.
Stormwater and drainage		
PO12 Development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a state-controlled road. Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	No acceptable outcome is prescribed.	Complies with PO12 Stormwater from the site generally runs south, south-east parallel to the Mulligan Highway which will ensure the development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a State-controlled Road (it is unclear if stormwater form the site ever crosses a State-controlled Road). Compliance can be further conditioned.
PO13 Run-off from the development site is not unlawfully discharged to a state-controlled road. Note: Refer to the SDAP Supporting Information: Stormwater and designed in a state controlled road any incompant. Department of	AO13.1 Development does not create any new points of discharge to a state-controlled road. AND	Complies with AO13.1 The development will not involve any new points of discharge to the State-controlled Road.
drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	AO13.2 Stormwater run-off is discharged to a lawful point of discharge. Note: Section 3.9 of the Queensland Urban Drainage Manual, Institute of Public Works Engineering Australasia (Queensland Division) Fourth Edition, 2016, provides further information on lawful points of discharge. AND	Complies with AO13.2 Stormwater runoff will be collected, treated and discharged to the existing lawful points of discharge.
	AO13.3 Development does not worsen the condition of an existing lawful point of discharge to the state-controlled road.	Complies with AO13.3 See PO12 above.

Performance outcomes	Acceptable outcomes	Response
PO14 Run-off from the development site during construction does not cause siltation of stormwater infrastructure affecting a state-controlled road. Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	AO14.1 Run-off from the development site during construction is not discharged to stormwater infrastructure for a state-controlled road.	Complies with AO14.1 See PO12 above.
Vehicular access to a state-controlled road		
PO15 Vehicular access to a state-controlled road that is a limited access road is consistent with government policy for the management of limited access roads. Note: Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and	AO15.1 Development does not require new or changed access to a limited access road. Note: Limited access roads are declared by the transport chief executive under section 54 of the <i>Transport Infrastructure Act 1994</i> and are identified in the DA mapping system. OR	N/A The site does not front a limited access road.
Main Roads, 2017, for further guidance on how to comply with this performance outcome.	AO15.2 A new or changed access to a limited access road is consistent with the limited access policy for the state-controlled road. Note: Limited access policies for limited access roads declared under the <i>Transport Infrastructure Act 1994</i> can be obtained by contacting the relevant Department of Transport and Main Roads regional office. AND	N/A See AO15.1 above.
	AO15.3 Where a new or changed access is for a service centre, access is consistent with the Service centre policy, Department of Transport and Main Roads, 2013 and the Access policy for roadside service centre facilities on limited access roads, Department of Transport and Main Roads, 2013, and the Service centre strategy for the state-controlled road. Note: The Service centre policy, Department of Transport and Main Roads, 2013, Access policy for roadside service centre facilities, Department of Transport and Main Roads, 2013 and the	N/A See AO15.1 above.

Performance outcomes	Acceptable outcomes	Response
	relevant Service centre strategy for a state-controlled road can be accessed by contacting the relevant Department of Transport and Main Roads regional office.	
PO16 The location and design of vehicular access to a state-controlled road (including access to a limited	AO16.1 Vehicular access is provided from a local road.	N/A The site fronts only a State-controlled Road.
access road) does not create a safety hazard for users of a state-controlled road or result in a worsening of operating conditions on a state-controlled road. Note: Where a new or changed access between the premises and a state-controlled road is proposed, the Department of Transport and Main Roads will need to assess the proposal to determine if the vehicular access for the development is safe. An assessment can be made by Department of Transport and Main Roads as part of the development assessment process and a decision under section 62 of <i>Transport Infrastructure Act 1994</i> issued. Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	OR all of the following acceptable outcomes apply: AO16.2 Vehicular access for the development is consistent with the function and design of the state-controlled road. AND	Complies with PO16 We have provided the expected vehicle movements for the development (maximum of approximately 195 x 25 ton trucks entering the site a year and a maximum of six (6) staff on-site each operational day). The low number of vehicle movements per day, combined with the significant sight distances available in both directions and in general, the standard and carrying capacity of the State-controlled Road, leads us to the belief that the development can be suitably and safely accessed without the need for any upgrades to the State-controlled road (not including upgrades to the existing invert crossing). Should Main Roads considered differently, we request we are notified of this as part of an Information Request.
	AO16.3 Development does not require new or changed access between the premises and the state-controlled road.	Complies with PO16 See PO16 above.
	Note: A decision under section 62 of the <i>Transport Infrastructure Act 1994</i> outlines the approved conditions for use of an existing vehicular access to a state-controlled road . Current section 62 decisions can be obtained from the relevant Department of Transport and Main Roads regional office. AND	

Performance outcomes	Acceptable outcomes	Response
	AO16.4 Use of any existing vehicular access to the development is consistent with a decision under section 62 of the <i>Transport Infrastructure Act</i> 1994.	Complies with PO16 See PO16 above.
	Note: The development which is the subject of the application must be of an equivalent use and intensity for which the section 62 approval was issued and the section 62 approval must have been granted no more than 5 years prior to the lodgement of the application. AND	
	AO16.5 On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles do not queue in a road intersection or on the state-controlled road.	Complies with AO16.5 There is sufficient room on the site (due to the length of the driveway required to the concrete recycling yard) to ensure no queuing occurs on the Statecontrolled Road.
Vehicular access to local roads within 100 metres of a	n intersection with a state-controlled road	
PO17 The location and design of vehicular access to a local road within 100 metres of an intersection with a state-controlled road does not create a safety hazard for users of a state-controlled road.	AO17.1 Vehicular access is located as far as possible from the state-controlled road intersection. AND	N/A The site does not front a local road, nor is it located within 100 metres of an intersection.
Note: Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	AO17.2 Vehicular access is in accordance with parts, 3, 4 and 4A of the Road Planning and Design Manual, 2 nd Edition: Volume 3, Department of Transport and Main Roads, 2016. AND	N/A See AO17.1 above.
	AO17.3 On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles do not queue in the intersection or on the state-controlled road.	N/A See AO17.1 above.
Public passenger transport infrastructure on state-con	trolled roads	

Performance outcomes	Acceptable outcomes	Response
PO18 Development does not damage or interfere with public passenger transport infrastructure, public passenger services or pedestrian or cycle access to public passenger transport infrastructure and public	AO18.1 Vehicular access and associated road access works are not located within 5 metres of existing public passenger transport infrastructure. AND	N/A There is no mapped public passenger transport infrastructure within proximity of the site.
Passenger services. Note: Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and Main Roads, 2017, for further guidance on how to comply with	AO18.2 Development does not necessitate the relocation of existing public passenger transport infrastructure. AND	N/A See AO18.1 above.
this performance outcome.	AO18.3 On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles using a vehicular access do not obstruct public passenger transport infrastructure and public passenger services or obstruct pedestrian or cycle access to public passenger transport infrastructure and public passenger services. AND	N/A See AO18.1 above.
	AO18.4 The normal operation of public passenger transport infrastructure or public passenger services is not interrupted during construction of the development.	N/A See AO18.1 above.
Planned upgrades		
PO19 Development does not impede delivery of planned upgrades of state-controlled roads.	AO19.1 Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road.	N/A The site is not identified for any planned upgrades (as identified on the DA Mapping).
	Note: Land required for the planned upgrade of a state-controlled road is identified in the <u>DA mapping system</u> . OR	

Performance outcomes	Acceptable outcomes	Response
	AO19.2 Development is sited and designed so that permanent buildings, structures, infrastructure, services or utilities are not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a statecontrolled road.	N/A See AO19.1 above.
	OR all of the following acceptable outcomes apply:	N/A See AO19.1 above.
	AO19.3 Structures and infrastructure located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road are able to be readily relocated or removed without materially affecting the viability or functionality of the development. AND	
	AO19.4 Vehicular access for the development is consistent with the function and design of the planned upgrade of the state-controlled road. AND	N/A See AO19.1 above.
	AO19.5 Development does not involve filling and excavation of, or material changes to, land required for a planned upgrade to a state-controlled road. AND	N/A See AO19.1 above.
	AO19.6 Land is able to be reinstated to the pre- development condition at the completion of the use.	N/A See AO19.1 above.
Network impacts		

Performance outcomes	Acceptable outcomes	Response
PO20 Development does not result in a worsening of operating conditions on the state-controlled road network. Note: To demonstrate compliance with this performance outcome, it is recommended that an RPEQ certified traffic impact assessment is provided. Please refer to the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	No acceptable outcome is prescribed.	Complies with PO20 The development will generate a maximum of approximately 195 x 25 ton trucks entering the site a year and a maximum of six (6) staff on-site each operational day. This equates to on average, approximately 0.5 truck movements per day and private vehicle movements not dissimilar to a standard dwelling house. Such a low number of traffic movements, combined with the carrying capacity of the Mulligan Highway, leads us to the belief that the development will not have a negative impact on the operating conditions of the Statecontrolled Road. Accordingly, in this instance, we do not consider that a need exists to provide a traffic impact assessment. Should Main Roads considered differently, we request we are notified of this as part of an Information Request.
PO21 Development does not impose traffic loadings on a state-controlled road which could be accommodated on the local road network.	AO21.1 The layout and design of the development directs traffic generated by the development to the local road network.	Complies with PO21 The site does not front the local road network
PO22 Upgrade works on, or associated with, a state-controlled road are built in accordance with Queensland road design standards.	AO22.1 Upgrade works required as a result of the development are designed and constructed in accordance with the <i>Road Planning and Design Manual</i> , 2 nd edition, Department of Transport and Main Roads, 2016. Note: Road works in a state-controlled road require approval under section 33 of the <i>Transport Infrastructure Act 1994</i> before the works commence.	N/A We do not envision that any upgrade works will be required as a result of the development.

Table 1.2.2: Environmental emissions

Statutory note: Where a **state-controlled road** is co-located in the same transport corridor as a railway, the development should instead comply with table 2.2.2: Environmental emissions in State code 2: Development in a railway environment.

Refer to the SDAP Supporting Information: Environmental emissions in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with the performance outcomes in Table 1.2.2.

oise barrier or earth mound is provided signed, sited and constructed: neet the following external noise criteria at facades of the building envelope: ≤60 dB(A) L ₁₀ (18 hour) façade corrected (measured L ₉₀ (8 hour) free field between 10pm and 6am ≤40 dB(A))	N/A The proposed development does not involve an accommodation activity. N/A See AO23.1 above.
signed, sited and constructed: neet the following external noise criteria at facades of the building envelope: ≤60 dB(A) L₁₀ (18 hour) façade corrected (measured L₂₀ (8 hour) free field between	The proposed development does not involve an accommodation activity. N/A
signed, sited and constructed: neet the following external noise criteria at facades of the building envelope: ≤60 dB(A) L₁₀ (18 hour) façade corrected (measured L₂₀ (8 hour) free field between	
≤63 dB(A) L ₁₀ (18 hour) façade corrected (measured L ₉₀ (8 hour) free field between 10pm and 6am > 40 dB(A)) accordance with chapter 7 integrated noise rier design of the Transport Noise magement Code of Practice: Volume 1 and Traffic Noise), Department of nsport and Main Roads, 2013. Constrate compliance with the acceptable outcome, it ded that a RPEQ certified noise assessment report is ared in accordance with the SDAP Supporting navironmental emissions in a state-controlled road Department of Transport and Main Roads, 2017.	
icerie na necessitation na necessitation nec	Opm and 6am > 40 dB(A)) cordance with chapter 7 integrated noise or design of the Transport Noise agement Code of Practice: Volume 1 d Traffic Noise), Department of sport and Main Roads, 2013. Strate compliance with the acceptable outcome, it I that a RPEQ certified noise assessment report is red in accordance with the SDAP Supporting ironmental emissions in a state-controlled road spartment of Transport and Main Roads, 2017.

Performance outcomes	Acceptable outcomes criteria is at the discretion of the Department of Transport and Main Roads.	
	OR all of the following acceptable outcomes apply:	N/A See AO23.1 above.
	AO23.2 Buildings which include a habitable room are setback the maximum distance possible from a state-controlled road or type 1 multi-modal corridor. AND	
	AO23.3 Buildings are designed and oriented so that habitable rooms are located furthest from a state-controlled road or type 1 multi-modal corridor. AND	N/A See AO23.1 above.

Performance outcomes	Acceptable outcomes	
	AO23.4 Buildings (other than a relevant residential building or relocated building) are designed and constructed using materials which ensure that habitable rooms meet the following internal noise criteria:	N/A See AO23.1 above.
	≤35 dB(A) L _{eq} (1 hour) (maximum hour over 24 hours).	
	Note: Noise levels from a state-controlled road or type 1 multi-modal corridor are to be measured in accordance with AS1055.1–1997 Acoustics – Description and measurement of environmental noise.	
	To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state controlled road environment, Department of Transport and Main Roads 2017.	
	Habitable rooms of relevant residential buildings located within a transport noise corridor must comply with the Queensland Development Code MP4.4 Buildings in a transport noise corridor, Queensland Government, 2015. Transport noise corridors are mapped on the State Planning Policy interactive mapping system.	
PO24 Development involving an accommodation activity or land for a future accommodation activity	AO24.1 A noise barrier or earth mound is provided which is designed, sited and constructed:	N/A See AO23.1 above.
minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in outdoor spaces for passive recreation.	to meet the following external noise criteria in outdoor spaces for passive recreation:	
	 a. ≤57 dB(A) L₁₀ (18 hour) free field (measured L₉₀ (18 hour) free field between 6am and 12 midnight ≤45 dB(A)) 	
	 b. ≤60 dB(A) L₁₀ (18 hour) free field (measured L₉₀ (18 hour) free field between 6am and 12 midnight >45 dB(A)) 	
	in accordance with chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice – Volume 1 Road	

Performance outcomes	Acceptable outcomes	
	Traffic Noise, Department of Transport and Main Roads, 2013.	
	Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state controlled road environment, Department of Transport and Main Roads 2017 OR	
	AO24.2 Each dwelling has access to an outdoor space for passive recreation which is shielded from a state-controlled road or type 1 multi-modal corridor by a building, solid gap-free fence, or other solid gap-free structure. AND	N/A See AO23.1 above.
	AO24.3 Each dwelling with a balcony directly exposed to noise from a state-controlled road or type 1 multi-modal corridor has a continuous solid gap-free balustrade (other than gaps required for drainage purposes to comply with the Building Code of Australia).	N/A See AO23.1 above.
Childcare centres and educational establishments		
PO25 Development involving a: 1. childcare centre; or	AO25.1 A noise barrier or earth mound is provided which is designed, sited and constructed:	N/A The proposed development does not involve a child
2. educational establishment minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in indoor education areas and indoor play areas.	 to meet the following external noise criteria at all facades of the building envelope: a. ≤58 dB(A) L₁₀ (1 hour) façade corrected (maximum hour during normal opening hours) 	care centre or educational establishment.
	in accordance with chapter 7 – Integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road	

Performance outcomes	Acceptable outcomes	
	Traffic Noise), Department of Transport and Main Roads, 2013.	
	Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state controlled road environment, Department of Transport and Main Roads 2017. If the building envelope is unknown, the deemed-to-comply setback distances for buildings stipulated by the local planning instrument or relevant building regulations should be used.	
	OR all of the following acceptable outcomes apply:	N/A See AO25.1 above.
	AO25.2 Buildings which include indoor education areas and indoor play areas are setback the maximum distance possible from a state-controlled road or type 1 multi-modal corridor. AND	
	AO25.3 Buildings are designed and oriented so that indoor education areas and indoor play areas are located furthest from the state-controlled road or type 1 multi-modal corridor. AND	N/A See AO25.1 above.
	AO25.4 Buildings are designed and constructed using materials which ensure indoor education areas and indoor play areas meet the following internal noise criteria:	N/A See AO25.1 above.
	 ≤35 dB(A) L_{eq} (1 hour) (maximum hour during opening hours). 	

Performance outcomes	Acceptable outcomes	
	Note: Noise levels from a state-controlled road or type 1 multimodal corridor are to be measured in accordance with AS1055.1–1997 Acoustics – Description and measurement of environmental noise. To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state controlled road environment, Department of Transport and Main Roads 2017.	
PO26 Development involving a:	AO26.1 A noise barrier or earth mound is provided	N/A
1. childcare centre; or	which is designed, sited and constructed:	See AO25.1 above.
2. educational establishment minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in outdoor education areas and outdoor play areas.	 to meet the following external noise criteria in each outdoor education area or outdoor play area: ≤63 dB(A) L₁₀ (12 hour) free field (between 6am and 6pm) in accordance with chapter 7 – Integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013. Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state controlled road environment, Department of Transport and Main Roads 2017. OR 	
	AO26.2 Each outdoor education area and outdoor play area is shielded from noise generated from a state-controlled road or type 1 multi-modal corridor by a building, solid gap-free fence, or other solid gap-free structure.	N/A See AO25.1 above.
Hospitals		

Performance outcomes	Acceptable outcomes	
PO27 Development involving a hospital minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in patient care areas.	AO27.1 Hospitals are designed and constructed using materials which ensure patient care areas meet the following internal noise criteria:	N/A The proposed development does not involve a hospital.
	 ≤35 dB(A) L_{eq} (1 hour) (maximum hour during opening hours). 	
	Note: Noise levels from a state-controlled road or type 1 multi-modal corridor are to be measured in accordance with AS1055.1–1997 Acoustics – Description and measurement of environmental noise.	
	To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state controlled road environment, Department of Transport and Main Roads 2017.	
Vibration		
Hospitals		
PO28 Development involving a hospital minimises vibration impacts from vehicles using a state-controlled road or type 1 multi-modal corridor in patient care areas.	AO28.1 Hospitals are designed and constructed to ensure vibration in the treatment area of a patient care area does not exceed a vibration dose value of 0.1m/s ^{1.75} . AND	N/A The proposed development does not involve a hospital.
	AO28.2 Hospitals are designed and constructed to ensure vibration in the ward area of a patient care area does not exceed a vibration dose value of 0.4m/s ^{1.75} .	N/A See AO28.1 above.
	Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified vibration assessment report is provided.	
Air and light		
PO29 Development involving an accommodation activity minimises air quality impacts from a state-	AO29.1 Each dwelling has access to an outdoor space for passive recreation which is shielded from a state-controlled road or type 1 multi-modal corridor by	N/A The proposed development does not involve an accommodation activity.

Performance outcomes	Acceptable outcomes	
controlled road or type 1 multi-modal corridor in outdoor spaces for passive recreation.	a building, solid gap-free fence, or other solid gap-free structure.	
PO30 Development involving a:	AO30.1 Each outdoor education area and outdoor	N/A
childcare centre; or	play area is shielded from a state-controlled road or	The proposed development does not involve a childcare centre or educational establishment.
2. educational establishment	type 1 multi-modal corridor by a building, solid gap- free fence, or other solid gap-free structure.	
minimises air quality impacts from a state-controlled road or type 1 multi-modal corridor in outdoor education areas and outdoor play areas.	inde terree, er eurer eena gap mee eu actare.	
PO31 Development involving an accommodation activity or hospital minimises lighting impacts from a state-controlled road or type 1 multi-modal corridor.	AO31.1 Buildings for an accommodation activity or hospital are designed to minimise the number of windows or transparent/translucent panels facing a state-controlled road or type 1 multi-modal corridor. OR	N/A The proposed development does not involve an accommodation activity or hospital.
	AO31.2 Windows facing a state-controlled road or type 1 multi-modal corridor include treatments to block light from a state-controlled road or type 1 multi-modal corridor.	N/A As AO31.1 above.

Table 1.2.3: Development in a future state-controlled road environment

Performance outcomes	Acceptable outcomes	
PO32 Development does not impede delivery of a future state-controlled road.	AO32.1 Development is not located in a future state-controlled road. OR	N/A The site is not mapped as being located in a future State-controlled Road.
	AO32.2 Development is sited and designed so that permanent buildings, structures, infrastructure, services or utilities are not located in a future state-controlled road.	N/A As AO32.1 above.

Performance outcomes	Acceptable outcomes	
	OR all of the following acceptable outcomes apply:	N/A As AO32.1 above.
	AO32.3 Structures and infrastructure located in a future state-controlled road are able to be readily relocated or removed without materially affecting the viability or functionality of the development. AND	
	AO32.4 Development does not involve filling and excavation of, or material changes to, a future state-controlled road. AND	N/A As AO32.1 above.
	AO32.5 Land is able to be reinstated to the pre- development condition at the completion of the use.	N/A As AO32.1 above.
PO33 Vehicular access to a future state-controlled road is located and designed to not create a safety hazard for users of a future state-controlled road or result in a worsening of operating conditions on a future state-controlled road.	AO33.1 Development does not require new or changed access between the premises and a future state-controlled road. AND	N/A As AO32.1 above.
Note: Where a new or changed access between the premises and a future state-controlled road is proposed, the Department of Transport and Main Roads will need to assess the proposal to determine if the vehicular access for the development is safe. An assessment can be made by Department of Transport and Main Roads as part of the development assessment process and a decision under section 62 of <i>Transport Infrastructure Act 1994</i> issued.	AO33.2 Vehicular access for the development is consistent with the function and design of the future state-controlled road.	N/A As AO32.1 above.
PO34 Filling, excavation, building foundations and retaining structures do not undermine, or cause subsidence of, a future state-controlled road.	No acceptable outcome is prescribed.	N/A As AO32.1 above.
Note: To demonstrate compliance with this performance outcome, it is recommended that an RPEQ certified geotechnical assessment is provided, prepared in accordance with the Road Planning and Design Manual, 2 nd edition: Volume 3, Department of Transport and Main Roads, 2016.		

Performance outcomes	Acceptable outcomes	
Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment. PO35 Fill material from a development site does not result in contamination of land for a future state-controlled road. Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for	AO35.1 Fill material is free of contaminants including acid sulfate content. Note: Soil and rocks should be tested in accordance with AS1289 – Methods of testing soils for engineering purposes and AS4133 2005 – Methods of testing rocks for engineering purposes. AND	N/A As AO32.1 above.
further guidance on how to comply with this performance outcome.	AO35.2 Compaction of fill is carried out in accordance with the requirements of AS1289.0 2000 – Methods of testing soils for engineering purposes.	N/A As AO32.1 above.
PO36 Development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a future state-controlled road. Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	No acceptable outcome is prescribed.	N/A As AO32.1 above.
PO37 Run-off from the development site is not unlawfully discharged to a future state-controlled road.	AO37.1 Development does not create any new points of discharge to a future state-controlled road. AND	N/A As AO32.1 above.
Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	AO37.2 Stormwater run-off is discharged to a lawful point of discharge. Note: Section 3.9 of the Queensland Urban Drainage Manual, Institute of Public Works Engineering Australasia (Queensland Division), Fourth Edition, 2016, provides further information on lawful points of discharge. AND	N/A As AO32.1 above.

State Development Assessment Provisions – version 2.4 State code 1: Development in a state-controlled road environment

Performance outcomes	Acceptable outcomes	
	AO37.3 Development does not worsen the condition	N/A
	of an existing lawful point of discharge to the future	As AO32.1 above.
	state-controlled road.	

State code 16: Native vegetation clearing

Table 16.2.2: General

Performance outcomes	Acceptable outcomes	Response
Clearing avoids or minimises impacts		
PO1 Clearing and adverse impacts of clearing do not	unless the application has demonstrated that earing and the adverse impacts of clearing have asonably avoided; or	Complies with PO1
the clearing and the adverse impacts of clearing have been: 1. reasonably avoided; or 2. reasonably minimised where it cannot be		The development cannot be located in a Category X area as the Category X areas on site are severely limited and generally align with areas of the site that have been previously cleared to make way for high voltage electricity infrastructure.
		There are no Category C or Category R areas on the site. As a result, the development must be located in Category B vegetation. We also note MSC's preference for the development to be located in a remote, rural location due to the lack of suitable industrial land within the shire.
		We confirm the following in relation to the Category B vegetation proposed to be cleared. The vegetation:
		IS 'of a least concern';
		 NOT mapped as essential habitat;
		 NOT located within 100m of a natural wetland;
		IS likely located within the minimum setback distances to mapped waterways. We are however, unsure of the stream order of these waterways (vegetation mapping in not clear). We are of the view that suitable setbacks can be provided once the stream order is known.

Performance outcomes	Acceptable outcomes	Response
T errormance outcomes	Acceptable outcomes	We note these 'waterways' appear to be ephemeral streams.
		We also note the following in relation to the avoid and minimise requirements listed in the Performance Outcome, the 2ha concrete recycling yard has been located in:
		 An area of the site that has been impacted by previous cattle grazing activities (reasonably avoided);
		 An area of the site that has been impacted by previous works associated with the 'Profit a Pendre' in effect over the land (reasonably avoided); and
		An area of the site that contains RE 9.5.15 which has a structure category of 'sparse' rather than any of the RE's on the site with a 'mid dense' structure category. The development site has in turn, been sized to align with the 2ha amount of clearing permitted under this code (reasonably minimised).
Clearing on land in particular circumstances		
PO2 Clearing is consistent with any notice requiring compliance on the land subject to the development application, unless a better environmental outcome can be achieved.	No acceptable outcome is prescribed.	N/A There is no vegetation notice on the site.
Note: The discharge of the vegetation management requirements under the notice requiring compliance can only occur in conjunction with the better environmental outcome being legally secured.		
Further guidance on meeting the requirements of a better environmental outcome can be found in State Development Assessment Provisions Guidance Material: State code 16: Native vegetation clearing, Department of Natural Resources and Mines, 2018.		

Daufaumanaa asstaamaa	A constable outcomes	Decrees
Performance outcomes	Acceptable outcomes	Response
PO3 Clearing is consistent with vegetation	No acceptable outcome is prescribed.	N/A
management requirements for particular regulated		The site is not located in a 'particular regulated area'.
areas unless a better environmental outcome can be		
achieved.		
Note: The discharge of the vegetation management requirements		
under the notice requiring compliance can only occur in conjunction with the better environmental outcome being legally secured.		
Further guidance on meeting the requirements of a better		
environmental outcome can be found in State Development		
Assessment Provisions Guidance Material: State code 16: Native vegetation clearing, Department of Natural Resources and Mines		
2018.		
PO4 Clearing of a legally secured offset area:	No acceptable outcome is prescribed.	N/A
1. is consistent with the offset delivery plan; or		The site is not located within a legally secured offset
agreement for the offset area on the land subject		area.
to the development application; or		
2. only occurs if an additional offset is provided that		
is consistent with the Environmental Offsets Act		
2014 and the relevant policy in the Queensland		
Environmental Offsets Policy, Department of		
Environment and Heritage Protection, 2014.		
Note: Reference to 'agreement' above includes the 'agreed delivery		
arrangement' for the offset area as well as instruments associated		
with the legally secured offset area. Clearing should be consistent with any agreement however described.		
Clearing of vegetation as a result of the material ch	ange of use or reconfiguration of a lot	
PO5 Clearing as a result of a material change of use,	No acceptable outcome is prescribed.	N/A
or clearing as a result of reconfiguring a lot does not	The state of the s	Not applicable in accordance with Table 16.2.1 of the
occur.		SDAP.
Clearing that could already be done under an exem	ption	<u></u>
PO6 Clearing does not occur unless it is clearing that	No acceptable outcome is prescribed.	N/A
could be done as exempt clearing work for the	· ·	Not applicable in accordance with Table 16.2.1 of the
purpose of the development (as prescribed under		SDAP.
schedule 21 of the Planning Regulation 2017) prior to		

Performance outcomes	Acceptable outcomes	Response
the material change of use or reconfiguring a lot application being approved.		

Table 16.2.3: Specific

Performance outcomes	Acceptable outcomes	Response
Clearing associated with wetlands (public safety, reextractive industry)	elevant infrastructure activities consequential develop	oment of IPA approval, a coordinated project,
PO7 Clearing maintains the current extent of vegetation associated with any natural wetland to protect: 1. bank stability by protecting against bank erosion	AO7.1 Clearing does not occur in a natural wetland or within 100 metres of the defining bank of any natural wetland. OR	Complies with PO7 The site is not located within 100m of a wetland.
 water quality by filtering sediments, nutrients and other pollutants aquatic habitat; and terrestrial habitat. 	AO7.2 Clearing within 100 metres of the defining bank of any natural wetland: 1. does not occur within 50 metres of the defining bank of any natural wetland; and 2. does not exceed widths in table 16.3.1 in this code.	N/A See AO7.2 above.
	OR AO7.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with a natural wetland (matter of state environmental significance).	N/A See AO7.2 above.

Performance outcomes	Acceptable outcomes	Response
 PO8 Clearing maintains vegetation associated with a natural wetland to protect: 1. bank stability by protecting against bank erosion 2. water quality by filtering sediments, nutrients and other pollutants 3. aquatic habitat; and 4. terrestrial habitat. 	Clearing necessary to control non-native plants or declared pests: AO8.1 Where clearing is necessary to control non-native plants or declared pests, mechanical clearing does not occur within five metres of the defining bank of a natural wetland. AND	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO8.2 Clearing only occurs: 1. within a 1.5 metre radius from the base of the stem of individual non-native or declared pests; or 2. to the extent necessary to provide access for the control of the non-native plants or declared pests. AND	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO8.3 Clearing for access tracks running parallel to a natural wetland is not to be located within 10 metres of the defining bank of a natural wetland. AND	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	Clearing for managing thickened vegetation: AO8.4 Mechanical clearing does not occur in any of the following areas: 1. inside the defining bank of a natural wetland; 2. within 50 metres of the defining bank of a natural wetland.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AND	

Performance outcomes	Acceptable outcomes	Response
	Clearing for encroachment: AO8.5 Mechanical clearing does not occur within 20 metres of the defining bank of a natural wetland.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AND	
	AO8.6 Clearing does not include the application of root absorbed broad spectrum herbicides within 50 metres of the defining bank of a natural wetland or within the distance specified from a wetland in the directions for use on the label for the product, whichever is the greater.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AND	
	Clearing for fodder harvesting: AO8.7 Mechanical clearing does not occur in any of the following areas: 1. inside the defining bank of any natural wetland; and 2. within 20 metres of the defining bank of any natural wetland.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AND	
	AO8.8 Mechanical clearing that is strip harvesting or block harvesting does not occur in any of the following areas:	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	 inside the defining bank of any natural wetland; and within 100 metres of the defining bank of any natural wetland. 	

Performance outcomes	Acceptable outcomes	Response
 PO9 Clearing maintains vegetation associated with any natural wetland or rehabilitates the cleared area to protect: 1. water quality by filtering sediments, nutrients and other pollutants 	AO9.1 Clearing does not occur in, or within 100 metres of, the defining bank of any natural wetland. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
2. aquatic habitat; and3. terrestrial habitat.	 AO9.2 Clearing within 100 metres of the defining bank of any natural wetland and: 1. does not occur within 50 metres of the defining bank of the natural wetland; and 2. does not exceed the widths in table 16.3.1 of this code. 	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	OR AO9.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Clearing associated with wetlands (necessary envir	ronmental clearing - natural channel diversion and co	ontaminants removal)
 PO10 Clearing maintains the current extent of vegetation associated with any natural wetland or rehabilitates the cleared area to protect: 1. bank stability by protecting against bank erosion 2. water quality by filtering sediments, nutrients and 	AO10.1 Clearing does not occur in, or within 100 metres of the defining bank of any natural wetland. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
other pollutants 3. aquatic habitat; and 4. terrestrial habitat.	AO10.2 Clearing within 100 metres of the defining bank of any natural wetland and: 1. does not occur within 50 metres of the defining bank of any natural wetland; and 2. does not exceed the widths in table 16.3.1 of this code. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
	AO10.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	OR AO10.4 Where clearing is for natural channel diversion or contaminants removal, and clearing cannot be reasonably avoided, and: 1. clearing has been reasonably minimised; and 2. the cleared area cannot be reasonably rehabilitated, an offset is provided for any acceptable significant residual impact from clearing of vegetation associated	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Clearing associated with watercourses and drainag coordinated project, extractive industry)	with a natural wetland (a matter of state environmental significance). le features (public safety, relevant infrastructure activ	rities, consequential development of IPA approval,
 PO11 Clearing maintains the current extent of vegetation associated with any watercourse or drainage feature to protect: 1. bank stability by protecting against bank erosion 2. water quality by filtering sediments, nutrients and other pollutants 	AO11.1 Clearing does not occur in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code. OR	N/A See AO11.2 below.
3. aquatic habitat; and 4. terrestrial habitat.	AO11.2 Clearing within any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code: 1. does not exceed the widths in table 16.3.1 of this code; and 2. does not occur within five metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature.	Further Information Needed An assessment cannot be undertaken until we are aware of the stream order of the adjacent watercourse. We request that this information be provided.
	OR	

Performance outcomes	Acceptable outcomes	Response
	AO11.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with any watercourse or drainage feature (a matter of state environmental significance).	N/A See AO11.2 above.
Clearing associated with watercourses and drainag	e features (necessary environmental clearing- land re	estoration and natural disaster preparation)
 PO12 Clearing maintains vegetation associated with any watercourse or drainage feature or rehabilitates the cleared area to protect: 1. bank stability by protecting against bank erosion 2. water quality by filtering sediments, nutrients and other pollutants 3. aquatic habitat; and 4. terrestrial habitat. 	 AO12.1 Clearing does not occur within any watercourse or drainage feature or within the relevant distances from each defining bank of any watercourse or drainage feature in table 16.3.2 of this code. OR AO12.2 Clearing in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code: does not exceed the widths in table 16.3.1 of this code; and does not occur within five metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature. 	N/A Not applicable in accordance with Table 16.2.1 of the SDAP. N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	OR AO12.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
PO13 Clearing maintains the current extent of vegetation associated with any watercourse or drainage feature or rehabilitates the cleared area to protect: 1. bank stability by protecting against bank erosion 2. water quality by filtering sediments, nutrients and other pollutants	AO13.1 Clearing does not occur within any watercourse or drainage feature or within the relevant distances from each defining bank of any watercourse or drainage feature in table 16.3.2 of this code. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
aquatic habitat; and terrestrial habitat.	 AO13.2 Clearing in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code: does not exceed the widths in table 16.3.1 of this code; and does not occur within five metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature. 	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO13.3 Where clearing cannot be reasonably avoided, and: 1. clearing has been reasonably minimised; and 2. the cleared area cannot be reasonably rehabilitated an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with a watercourse or drainage feature (a matter of state environmental significance).	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Clearing associated with watercourses or drainage features (necessary to control non-native plants or declared pests, managing thickened vegetation, fodder harvesting)		

Performance outcomes	Acceptable outcomes	Response
 PO14 Clearing maintains vegetation associated with any watercourse or drainage feature to protect: bank stability by protecting against bank erosion water quality by filtering sediments, nutrients and other pollutants aquatic habitat; and terrestrial habitat. 	Clearing necessary to control non-native plants or declared pests: AO14.1 Mechanical clearing does not occur within 20 metres of the defining bank of a watercourse or drainage feature. AND	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	 AO14.2 Clearing only occurs: within a 1.5 metre radius from the base of the stem of individual non-native or declared pests; or to the extent necessary to provide access for the control of the non-native plant or declared pest. AND	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO14.3 Clearing for access tracks running parallel to a watercourse or drainage feature is not to be located within 10 metres of the defining bank of the watercourse or drainage feature.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	 Clearing for managing thickened vegetation: AO14.4 Mechanical clearing does not occur in any of the following areas: 1. inside the defining bank of any watercourse or drainage feature; 2. within 10 metres of the defining bank of a watercourse or drainage feature that is a stream order 1 or 2 watercourse or drainage feature. 3. within 30 metres of the defining bank of a watercourse or drainage feature that is a stream order 3 or 4 watercourse or drainage feature. 	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Accentable outcomes	Response
Performance outcomes	 4. within 50 metres of the defining bank of a watercourse or drainage feature that is a stream order 5 or more watercourse or drainage feature. 	Response
	Clearing for fodder harvesting: AO14.5 Mechanical clearing does not occur in any of the following areas: 1. inside the defining bank of any watercourse or drainage feature; and 2. within 20 metres of the defining bank of any	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AND AO14.6 Mechanical clearing that is strip harvesting or block harvesting does not occur in any of the following areas: 1. inside the defining bank of any watercourse or drainage feature; and within 100 metres of the defining bank of any watercourse or drainage feature.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Clearing associated with watercourses or drainage		
 PO15 Clearing of encroachment maintains: 1. bank stability by protecting against bank erosion; and 2. water quality by filtering sediments, nutrients and other pollutants; and 	AO15.1 Mechanical clearing does not occur within 20 metres of the defining bank of a watercourse or drainage feature. AND	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
3. aquatic habitat; and4. terrestrial habitat.	AO15.2 Clearing does not include the application of root-absorbed broad spectrum herbicides within 50 metres of the defining bank of a watercourse or drainage feature or within the distance specified from a watercourse or drainage feature in the directions for use on the label for the product, whichever is the greater.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Maintaining connectivity (public safety, relevant in	frastructure activities, consequential development of	IPA approval, extractive industry)
PO16 In consideration of vegetation on the land subject to the development application and on adjacent land, sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes.	AO16.1 Clearing occurs in accordance with table 16.3.3 in this code.	Complies with PO16 The development is located within a Coastal bioregion and sub-region and will maintain connectivity by complying with Table 16.3.3 as follows: 1. The area of vegetation on-site is connected to an area of vegetation that is well in excess of 10 hectares; 2. Upon clearing for the development being completed, there will remain approximately 87ha of vegetation on the site; 3. The overall vegetation area (as outlined above) is wider than 100m; 4. The width of vegetation (as outlined above) will not be cleared to less than 100 metres; and 5. The extent of vegetation on site will not be reduced to less than 30 per cent of the total area of the site.
Connectivity areas (coordinated project)		
PO17 In consideration of vegetation on the land subject to the development application and on adjacent land:	AO17.1 Clearing occurs in accordance with table 16.3.3 of this code. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
 sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes; or where this not reasonably possible, the applicant provides an offset. 	AO17.2 Where clearing cannot be reasonably avoided; and clearing has been reasonably minimised; an offset is provided for any acceptable significant residual impact from clearing of vegetation that forms a connectivity area (a matter of state environmental significance).	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Maintaining connectivity (necessary environmental	clearing - land restoration and natural disaster prepa	aration)
PO18 In consideration of vegetation on the land subject to the development application and on adjacent land, sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes, or where	AO18.1 Clearing occurs in accordance with table 16.3.3 of this code. OR AO18.2 Where clearing cannot be reasonably	N/A Not applicable in accordance with Table 16.2.1 of the SDAP. N/A
this is not reasonably possible, the cleared area is rehabilitated.	avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.	Not applicable in accordance with Table 16.2.1 of the SDAP.
	ing – natural channel diversion and contaminants ren	
PO19 In consideration of vegetation on the land subject to the development application and on adjacent land:1. sufficient vegetation is retained to maintain	AO19.1 Clearing occurs in accordance with table 16.3.3 of this code. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
ecological processes and remains in the landscape despite threatening processes; or 2. where this is not reasonably possible, the applicant rehabilitates the cleared area; or 3. where this not reasonably possible, the applicant	AO19.2 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
provides an offset.	AO19.3 Where clearing cannot be reasonably avoided, and: 1. clearing has been reasonably minimised; and 2. the cleared area cannot be reasonably rehabilitated an offset is provided for any acceptable significant residual impact from clearing of vegetation that forms a connectivity area (a matter of state environmental significance).	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
Soil erosion (public safety, relevant infrastructure a clearing)	activities, consequential development of IPA approval	l, coordinated project, necessary environmental
 PO20 Clearing does not result in: accelerated soil erosion including, but not limited to – mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding; and any associated loss of chemical, physical or biological fertility – including, but not limited to water holding capacity, soil structure, organic matter, soil biology, and nutrients, within or outside the land the subject of the development application. 	AO20.1 Clearing is undertaken in accordance with an erosion and sediment control plan, which includes measures to ensure the rates of soil loss and sediment movement are the same or less than those prior to the proposed development. OR	N/A See AO20.2 below.
	AO20.2 The local government is the assessment manager for the development application. Note: For guidance on developing a sediment and erosion control plan, please refer to the Best Practice Erosion and Sediment Control Document, IECA, 2008.	Complies with AO20.2 The local government is the assessment manager for the development application.
	s or declared pests, managing thickened vegetation,	
 PO21 Clearing does not result in: accelerated soil erosion – including, but not limited to - mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding; and any associated loss of chemical, physical or biological fertility – including, but not limited to water holding capacity, soil structure, organic matter, soil biology and nutrients, within or outside the land subject of the development application. 	Clearing necessary to control non-native plants or declared pests: AO21.1 Mechanical clearing retains 50 per cent of the ground cover (dead or alive) in each 50 by 50 metre (0.25 hectare) area. AND	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO21.2 New access tracks to gain access to a non- native plant or declared pest infestation do not exceed five metres in width or de-stabilise the banks of any watercourse or drainage feature as a result of crossing, construction or use.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	Clearing for managing thickened vegetation: AO21.3 Mechanical clearing does not:	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
	 occur in a regional ecosystem in table 16.3.6 of this code that states 'mechanical clearing not permitted'; disturb more than 50 per cent of the ground surface or result in any hectare having less than 50 per cent ground cover, whether dead or alive; and occur on slopes in excess of five per cent. 	
	AND	
	AO21.4 Mechanical clearing does not occur within 50 metres of an area of soil erosion and instability.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AND	
	 Clearing for encroachment: AO21.5 Mechanical clearing: is limited to slopes less than five per cent; and retains 50 per cent of the ground cover (dead or alive) in each 50 by 50 metre (0.25 hectare) area. 	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AND	
	Clearing for fodder harvesting: AO21.6 Mechanical clearing does not occur on a slope greater than five percent. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO21.7 Mechanical clearing does not occur within 50 metres of an areas of soil erosion and instability.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Salinity (public safety, relevant infrastructure activities, consequential development of IPA approval, coordinated project, extractive industry, necessary environmental clearing, fodder harvesting)

Performance outcomes	Acceptable outcomes	Response
PO22 Clearing does not contribute to or accelerate land degradation through waterlogging, or through the salinisation of groundwater, surface water or soil.	AO22.1 Clearing does not occur within 100 metres of a salinity expression area.	Complies with PO22 The clearing will not be located within 100 metres of a salinity expression area.
Conserving endangered and of concern regional ecapproval, coordinated project, extractive industry)	osystems (public safety and relevant infrastructure a	activities, consequential development of IPA
PO23 Clearing maintains the current extent of endangered regional ecosystems and of concern regional ecosystems.	AO23.1 Clearing does not occur in an endangered regional ecosystem or an of concern regional ecosystem. OR	Complies with PO23 The site does not contain an endangered regional ecosystem or an of concern regional ecosystem.
	AO23.2 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed the widths prescribed in table 16.3.1 of this code. OR	N/A See AO23.1 above.
	AO23.3 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed areas prescribed in table 16.3.1 of this code. OR	N/A See AO23.1 above.
	AO23.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of endangered regional ecosystems and of concern regional ecosystems (a matter of state environmental significance). ure activities, consequential development of IPA app	N/A See AO23.1 above.

Performance outcomes	Acceptable outcomes	Response
PO24 Clearing maintains the current extent of essential habitat.	AO24.1 Clearing does not occur in essential habitat. OR	N/A There is no essential habitat located on site.
	AO24.2 Clearing in essential habitat does not exceed the widths prescribed in table 16.3.1 of this code. OR	N/A See AO24.1 above.
	AO24.3 Clearing in essential habitat does not exceed the areas prescribed in table 16.3.1 of this code. OR	N/A See AO24.1 above.
	AO24.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of essential habitat (a matter of state environmental significance).	N/A See AO24.1 above.
Essential habitat (necessary environmental clearin	g – land restoration and natural disaster preparation)	
PO25 Clearing does not occur in essential habitat, or where this is not reasonably possible, the applicant rehabilitates the cleared area.	AO25.1 Clearing does not occur in essential habitat. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO25.2 Clearing in essential habitat does not exceed the widths prescribed in table 16.3.1 of this code. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO25.3 Clearing in essential habitat does not exceed the areas prescribed in table 16.3.1 of this code. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
	AO25.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Essential habitat (necessary environmental clearing	g – natural channel diversion and contaminants remo	val)
PO26 Clearing does not occur in essential habitat, or where this is not reasonably possible, the applicant rehabilitates the cleared area, or maintains the current extent of essential habitat.	AO26.1 Clearing does not occur in essential habitat. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO26.2 Clearing in essential habitat does not exceed the widths prescribed in table 16.3.1 of this code. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO26.3 Clearing in essential habitat does not exceed the areas prescribed in table 16.3.1 of this code. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO26.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO26.5 Where clearing cannot be reasonably avoided, and: 1. clearing has been reasonably minimised; and 2. the cleared area cannot be reasonably rehabilitated an offset is provided for any acceptable significant residual impact from clearing of essential habitat (a matter of state environmental significance).	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
	ture activities, consequential development of IPA appoint of IPA appoint non-native plants or declared pests, managing t	
PO27 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following: 1. aeration of horizons containing iron sulphides; or 2. mobilisation of acid or metals.	AO27.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3. OR AO27.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where:	N/A See AO27.3 below.
	 it does not involve mechanical clearing; and acid sulfate soils are managed consistent with the State Planning Policy, Department of Infrastructure, Local Government and Planning, July 2017, and with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual, Department of Science Information Technology Innovation and the Arts, 2014. 	
	AO27.3 The local government is the assessment manager for the development application.	Complies with AO27.3 Mareeba Shire Council is the Assessment Manager for the development application.
Clearing is staged (extractive industry)		
PO28 Clearing:1. is staged in line with operational needs that restrict clearing to the current operational area	No acceptable outcome is prescribed.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
 only occurs in the area from which material will be extracted, and any reasonably associated infrastructure, within the term of the development approval; and 		
3. does not occur without required permits.		

Performance outcomes	Acceptable outcomes	Response
PO29 Clearing only occurs where the land is suitable for agriculture having regard to topography, climate and soil attributes.	No acceptable outcome is prescribed.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
PO30 For applications for irrigated crops, the owner of the land has, or may have, access to enough water for establishing, cultivating and harvesting the crops to which the clearing relates.	No acceptable outcome is prescribed.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Clearing for necessary environmental clearing - lar	nd restoration and natural disaster preparation	
PO31 Clearing does not occur, or where this is not reasonably possible, the applicant rehabilitates the cleared area.	AO31.1 Clearing maintains the natural floristic composition and range of sizes across the application area. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO31.2 Clearing does not exceed the widths prescribed in table 16.3.1 of this code. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO31.3 Clearing does not exceed the areas prescribed in table 16.3.1 of this code. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO31.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Clearing for necessary environmental clearing - nat	ural channel diversion and contaminants removal	
PO32 Clearing does not occur, or where this is not reasonably possible, the applicant rehabilitates the cleared area or maintains the current extent of vegetation.	AO32.1 Clearing maintains the natural floristic composition and range of sizes across the application area.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	OR	

Performance outcomes	Acceptable outcomes	Response
	AO32.2 Clearing does not exceed the widths prescribed in table 16.3.1 of this code. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO32.3 Clearing does not exceed the areas prescribed in table 16.3.1 of this code. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO32.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the endangered regional ecosystems and of concern regional ecosystems are rehabilitated.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO32.5 Where clearing an endangered regional ecosystem or of concern regional ecosystem cannot be reasonably avoided, minimised or rehabilitated, an offset is provided for any acceptable significant residual impact from clearing of an endangered regional ecosystem or of concern regional ecosystem (a matter of state environmental significance).	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	cosystems (necessary to control non-native plants or	
PO33 Clearing activities:1. maintain the natural floristic composition and range of sizes of each species of the regional	AO33.1 Mechanical clearing does not exceed the limitations defined in table 16.3.4 of this code. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
ecosystem evenly spaced across the application area; and 2. retain mature trees.	AO33.2 Root-absorbed broad spectrum herbicides are not: 1. applied via aerial application; or 2. ground applied on a broad acre basis; or 3. used inconsistently with the product directions.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Requirements for dense regional ecosystems (nece	essary to control non-native plants or declared pests)	
PO34 Clearing retains canopy vegetation in dense regional ecosystems.	AO34.1 Clearing does not occur in regional ecosystems listed in table 16.3.5 of this code. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	 AO34.2 Clearing and associated soil disturbance in regional ecosystems listed in table 16.3.5 of this code only occurs: within a 1.5 metre radius from the base of the stem of individual non-native plants or declared pests; and to the extent necessary to provide access for the control of the non-native plants or declared pests. 	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Restoring the regional ecosystem (managing thicke		
 PO35 Clearing activities: 1. restore the natural floristic composition and range of sizes of each species of the regional ecosystem evenly spaced across the application area; and 2. retain mature trees, habitat trees and tall 	 AO35.1 Clearing does not occur in any of the following areas: 1. in thickets; 2. for mechanical clearing, within five metres or less from the trunk of a mature tree, habitat tree or tall immature tree. 	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
immature trees and thickets.	AND	

Performance outcomes	Acceptable outcomes	Response
	 AO35.2 Clearing retains: all mature trees and habitat trees; a full range of sizes and species typical of the regional ecosystem in the area; and where the number of mature trees plus habitat trees is less than 20 per hectare, tall immature trees to total 20 mature trees, habitat trees and tall immature trees per hectare. 	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AND AO35.3 If clearing immature trees, retain immature trees distributed in a pattern that is as natural as possible and of at least the density specified in table 16.3.6 of this code.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	 AND AO35.4 If clearing low shrubs: 1. in regional ecosystems where clearing is restricted to low shrubs as specified in table 16.3.6 of this code – clearing retains all immature trees; 2. in regional ecosystems where clearing is not restricted to low shrubs as specified in table 16.3.6 of this code – clearing retains at least the number of immature trees specified in table 16.3.6; and 3. clearing retains at least 10 per cent of the predominate species that have thickened. 	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AND AO35.5 Mechanical clearing does not result in debris being stacked or pushed against a mature tree, habitat tree or tall immature tree. AND	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
	 AO35.6 Clearing is not undertaken by: 1. aerial application of any herbicide; 2. application of a root-absorbed broad spectrum herbicide. AND	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO35.7 Chemical clearing does not occur within five metres of the trunk of a mature tree, habitat tree or tall immature tree.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Clearing limited to specific regional ecosystems an	d specific clearing methods (managing thickened veg	getation)
 PO36 Clearing must be for the purpose of restoring the remnant regional ecosystem and only occur if all of the following apply: 1. clearing is in regional ecosystems prescribed in table 16.3.6 of this code; and 2. clearing is in accordance with the clearing restrictions for the regional ecosystem prescribed in table 16.3.6 of this code. 	No acceptable outcome is prescribed.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Clearing limited to specific regional ecosystems (en		
PO37 Clearing of encroachment does not occur, other than in the regional ecosystems listed in table 16.3.7 of this code.	No acceptable outcome is prescribed.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Retained trees (encroachment)		
PO38 Clearing of encroachment: 1. results in the restoration of the regional ecosystem 2. retains mature trees and habitat trees 3. retains all woody vegetation within a grove; and 4. retains representatives of all immature, non-encroaching species in a natural pattern.	No acceptable outcome is prescribed.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Limits to clearing for fodder harvesting (fodder har		
PO39 Clearing is limited to:	No acceptable outcome is prescribed.	N/A

Performance outcomes	Acceptable outcomes	Response
 the extent necessary to provide fodder for stock; and areas where the stock is located, and the stock has sufficient water. 		Not applicable in accordance with Table 16.2.1 of the SDAP.
PO40 Clearing must only occur: 1. in regional ecosystems listed in table 16.3.8 or table 16.3.9 of this code; and 2. in accordance with the harvesting method limitations for the regional ecosystem listed in table 16.3.8 or table 16.3.9 of this code.	No acceptable outcome is prescribed.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
PO41 Clearing consists predominantly of fodder species.	No acceptable outcome is prescribed.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Conserving vegetation (fodder harvesting)		
PO42 Clearing is carried out in a way that conserves:1. remnant vegetation in perpetuity; and2. the regional ecosystem in which the vegetation is situated.	AO42.1 Clearing does not result in the removal of non-fodder species with a height of four metres or more.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	 A042.2 Selective harvesting: retains all non-fodder species except where the damage is an unavoidable consequence of clearing the selected fodder tree; and when using a chainsaw in regionals ecosystems listed in table 16.3.8 of this code, retains at least one fodder tree for every fodder tree cleared; and in least concern regional ecosystems listed in table 16.3.9 of this code, retains at least one fodder tree for each fodder tree cleared; and in of concern regional ecosystems listed in table 16.3.9 of this code, retains at least two fodder trees for each fodder tree cleared. 	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
	AND AO42.3 Strip harvesting and block harvesting: 1. where fodder harvesting has previously occurred in an area of a lot, only occurs if all of the following apply: a. the vegetation has not been cleared in the last 10 years; and b. the average height of the fodder trees is at least 70 per cent of the height of the tallest stands of fodder species in the regional ecosystem; and c. the fodder trees that were previously harvested have now attained an average height of at least 4 metres. 2. aligns clearing along the contour where practical; and 3. does not occur in patches of regional ecosystems that are less than 10 hectares in area or less than 500 metres wide.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
	AO42.4 Strip harvesting: 1. does not result in any strip harvesting area exceeding 50 metres in width; and 2. results in all strip retention areas: a. being preserved along the length of strip harvest areas to a width of at least 1.5 times that of the adjacent strip harvest area; and b. containing fodder species with an average height of at least four metres; and 3. does not result in clearing for machinery access between strip harvest areas exceeding 15 metres in width.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AND	
	AO42.5 Block harvesting: 1. does not result in any block harvest area exceeding one hectare; and 2. results in block retention areas: a. being preserved between block harvest areas in accordance with the widths specified in table 16.3.10 of this code; and b. containing fodder species with an average height of at least four metres; and 3. does not result in clearing for machinery access between block harvest areas exceeding 10 metres in width.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Cleared vegetation (fodder harvesting)	N	N/A
PO43 Fodder harvesting is carried out in a way that results in the woody biomass of the cleared vegetation remaining where it is cleared.	No acceptable outcome is prescribed.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
Conserving the fodder resource (fodder harvesting		
PO44 Fodder harvesting is carried out in a way that will conserve the fodder resource.	AO44.1 Within any 10 year period, commencing from the expiry date of any development approval or any Accepted Development Vegetation Clearing Code notification, clearing does not occur: 1. more than once in the same area of a lot; and 2. in more than 50 per cent of the area of the regional ecosystem listed in table 16.3.8 and table 16.3.9 of this code on the lot; and 3. in areas required to be retained under this code, a development approval or any accepted development vegetation clearing code.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.